AGENDA BRIEFING WORKSHOP

STATE OF CALIFORNIA

INTEGRATED WASTE MANAGEMENT BOARD

JOE SERNA, JR., CALEPA BUILDING

1001 I STREET, 2ND FLOOR

COASTAL HEARING ROOM

SACRAMENTO, CALIFORNIA

WEDNESDAY, AUGUST 8, 2001 9:30 A.M.

JAMES F. PETERS, CSR, RPR CERTIFIED SHORTHAND REPORTER LICENSE NUMBER 10063

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APPEARANCES

BOARD MEMBERS

Linda Moulton-Patterson, Chairperson

Jose Medina

Michael Paparian

STAFF

Mark Leary, Interim Executive Director

Karin Fish, Chief Deputy Director

Kathryn Tobias, Chief Counsel

Julie Nauman, Deputy Director

Rubia Packard, Assistant Director

Pat Schiavo, Deputy Director

Patty Wohl, Deputy Director

Mark de Bie

Tom Estes

Martha Gildart

Caroll Mortensen

Trevor O'Shaughnessy

Stacey Patenaude

Don Peri

John Sitts

Diane Vlach

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APPEARANCES CONTINUED

ALSO PRESENT

John Cupps

Denise Delmatier

George Larson

Terry Leveille

Carmen Milanes, OEHHA

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PETER	RS SHORTHAND REPORTING CORPORATION (916) 362-2345	

PROCEEDINGS 1 2 CHAIRPERSON MOULTON-PATTERSON: Good morning. 3 Welcome to our briefing for our August Board Meeting. We 4 appreciate you all being here. We'll go right into the review of our monthly 5 6 board meeting. Mr. Jones is ill, so he won't be here and 7 we'll just start out and we have a couple of discussion 8 items, so I'll turn it over to Mark. INTERIM EXECUTIVE DIRECTOR LEARY: Well, all I 9 10 need to say for introducing the agenda is that we've 11 proposed three items for consent at this month's full 12 board meeting on the 14th and 15th. Those items are --13 CHAIRPERSON MOULTON-PATTERSON: Is mine on? 14 Maybe you can use Kathryn's and see if her's 15 works. 16 INTERIM EXECUTIVE DIRECTOR LEARY: How is this? 17 No. 18 Testing. 19 CHAIRPERSON MOULTON-PATTERSON: Do you want to 20 come up here with us? (Laughter.) 21 22 INTERIM EXECUTIVE DIRECTOR LEARY: I will use a

24 CHAIRPERSON MOULTON-PATTERSON: You can sit way

25 down there if you want.

23 microphone up there.

- 1 INTERIM EXECUTIVE DIRECTOR LEARY: This is scary
- 2 territory up here.
- 3 (Laughter.)
- 4 CHAIRPERSON MOULTON-PATTERSON: Yeah, it is.
- 5 INTERIM EXECUTIVE DIRECTOR LEARY: As I started
- 6 to say, all I need to say for introduction is that we have
- 7 proposed three items for consent out of this month's board
- 8 meeting. Agenda Items 14, 15 and 16 all out of the DPLA
- 9 program and are proposed for consent. And then agenda
- 10 Item 22 has been deleted from consideration or from the
- 11 agenda completely.
- 12 And that's it. With that we go to continued
- 13 business.
- 14 CHAIRPERSON MOULTON-PATTERSON: Okay, thank you.
- Good morning, we're going to our continued
- 16 business agenda items. And, again, for the audience after
- 17 each section of our agenda, we'll have time to hear from
- 18 you if you wish to speak, but we'll keep it to after we
- 19 finish each item, but, of course, board members, staff can
- 20 ask questions or comments at any time.
- 21 Thank you, Pat.
- DEPUTY DIRECTOR SCHIAVO: Okay Item number 1 is
- 23 Consideration of Staff Recommendations on the CIWMP
- 24 Enforcement Policy Part 2. This was carried over from the
- 25 last board meeting. It's been heard as a discussion item

- 1 at several others, and we still have, ever since the first
- 2 meeting, have not heard or have not received comments
- 3 regarding this item.
- 4 And having the Board direct staff on this is
- 5 becoming more critical, because we start the actual
- 6 biennial review process. The Annual Reports are due to us
- 7 September 1st. And the 120-day clock starts, so we will
- 8 need some action on this.
- 9 CHAIRPERSON MOULTON-PATTERSON: Questions?
- I don't see any.
- 11 DEPUTY DIRECTOR SCHIAVO: Okay. And Item number
- 12 2 is the actual -- wait. Two is Consideration of Staff
- 13 Recommendation on the Biennial Review Process. That was
- 14 carried over as a result of Item number 1 being carried
- 15 over. And it's the same situation where this is pretty
- 16 much our guidance document for how we conduct the reviews
- 17 for the 2000 biennials.
- 18 CHAIRPERSON MOULTON-PATTERSON: Okay. One thing
- 19 that I might be asking -- you're on number 2 right now?
- 20 DEPUTY DIRECTOR SCHIAVO: Yeah.
- 21 CHAIRPERSON MOULTON-PATTERSON: At the Board
- 22 meeting is, you know, I'd just like you to, you know, be
- 23 ready with your rational and everything, it seems to me
- 24 that the cities with the most problem would need the
- 25 earliest technical assistance to get them back on track.

- 1 So I'll just be asking about that or you can think about
- 2 it and, whatever, get back to me. And, you know, there
- 3 might be a very good reason that they're not.
- 4 DEPUTY DIRECTOR SCHIAVO: Okay.
- 5 CHAIRPERSON MOULTON-PATTERSON: I'm concerned
- 6 about that.
- 7 Anyone else?
- 8 Okay, number 3.
- 9 DEPUTY DIRECTOR NAUMAN: Madam Chair, Item 3 is a
- 10 P&E item. This one was on the July agenda and the Board
- 11 did not take it up at that time and decided to continue it
- 12 to August. This is consideration of adoption or request
- 13 for additional direction regarding proposed regulations
- 14 with respect to financial assurance demonstrations.
- The staff took the Board's direction, the last
- 16 time this item was heard, to continue to work with the
- 17 stakeholders to talk to the State of Vermont and other
- 18 states about their captive insurance programs. We have
- 19 done that. There are a number of pieces of correspondence
- 20 that we received during this timeframe that are included
- 21 in the item.
- We are continuing to meet with the stakeholders.
- 23 We have a conference call scheduled for tomorrow morning
- 24 with several of them, both here in California and
- 25 elsewhere in the country, to continue the dialogue on the

- 1 issues that are still unresolved. So we will be reporting
- 2 back to you next week on those continued discussions and
- 3 we'll seek your direction.
- 4 CHAIRPERSON MOULTON-PATTERSON: Mike.
- 5 BOARD MEMBER PAPARIAN: You don't have a
- 6 recommendation yet in terms of which of the options you're
- 7 supporting?
- 8 DEPUTY DIRECTOR NAUMAN: Well, the staff has
- 9 proposed a couple of options for you. And I think the
- 10 staff is still of the view that we're ready to go to a
- 11 45-day review and comment period. The one option that we
- 12 talked about makes the distinction between pure captives
- 13 and other captives. So that's a slight modification of
- 14 the original recommendation, but it's really a clarifying
- 15 change that we think should help with the negotiations.
- So staff is still prepared to recommend that you
- 17 move forward with them pending any, you know, things that
- 18 we learn in our continued dialogue with the stakeholders.
- 19 But to date, we haven't heard anything new.
- 20 BOARD MEMBER PAPARIAN: Thanks.
- 21 CHAIRPERSON MOULTON-PATTERSON: Okay, thank you.
- 22 We'll go on to number 4.
- DEPUTY DIRECTOR NAUMAN: I'm sorry. Excuse me,
- 24 I'm looking at everybody else and forgot that we had this
- 25 one, too. This was another item that was on the July

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- 1 agenda that we didn't can take up. This will be a fairly
- 2 short item. This is an update on the staff's plan to
- 3 complete the work on the construction and demolition
- 4 regulation package. We're taking this in two phases, as
- 5 we've talked with you before.
- 6 We wanted to just review with you the very
- 7 aggressive schedule that we're proposing to utilize to
- 8 complete the package. Moving quickly through Phase 1,
- 9 which has been out, you know, with this item now for
- 10 30-days and it also was part of the original package and
- 11 really was not the controversial part of that original
- 12 package. So we're hoping to get through that phase in the
- 13 next few months and then really focus our efforts on phase
- 14 2 of the package, which is the disposal side, which deals
- 15 with the disposal of inert materials as well as the whole
- 16 issue of mine reclamation sites. As you know, we're doing
- 17 a study right now. We'll have the results of that this
- 18 fall, and we'll be able to incorporate that into the
- 19 package.
- The reason why we're suggesting such an
- 21 aggressive schedule is, as you know, SB 515 enacted an
- 22 exemption for the fee for some of these facilities, and
- 23 that legislation will be expiring and we're trying to get
- 24 this package to dovetail with that expiration date, so
- 25 that there's as little gap as possible between the

- 1 expiration of that legislation and the enactment of this
- 2 package.
- 3 Thank you.
- 4 CHAIRPERSON MOULTON-PATTERSON: I need to ask a
- 5 question, Mark. It's my understanding that after we went
- 6 through the regular agenda, we were going to do 5, 6 and 7
- 7 today, but we have doubled listed them in case we didn't
- 8 take them up or we ran out of time. With three board
- 9 members absent, what is your recommendation that we
- 10 discuss them today and do it today, or shall we just hold
- 11 them over, and also Board Members, what do you think?
- 12 INTERIM EXECUTIVE DIRECTOR LEARY: I would defer
- 13 to the Board. Although, you know, they have been
- 14 adequately noticed.
- 15 CHAIRPERSON MOULTON-PATTERSON: For the briefing?
- 16 INTERIM EXECUTIVE DIRECTOR: For the briefing,
- 17 and we're prepared to put those on today. And part of the
- 18 reason we put the nonconsideration items before the Board
- 19 on the workshop is to allow plenty of time in the full
- 20 board meeting for the consideration items. So these are
- 21 primarily informational, discussional related items. They
- 22 don't require a Board vote.
- 23 CHAIRPERSON MOULTON-PATTERSON: So then maybe
- 24 we'll just go ahead and take them up. And for the Board
- 25 members that are absent have any questions, they can --

- 1 INTERIM EXECUTIVE DIRECTOR LEARY: I can
- 2 certainly follow up with them individually.
- 3 CHAIRPERSON MOULTON-PATTERSON: Is that okay with
- 4 other board members?
- 5 BOARD MEMBER MEDINA: Yes.
- 6 CHAIRPERSON MOULTON-PATTERSON: Okay.
- 7 Any public speakers on Continued Business Agenda
- 8 Items 1 through 4?
- 9 Seeing none, we'll go right into new business and
- 10 we'll start with Waste Prevention and Market Development,
- 11 number 8.
- 12 DEPUTY DIRECTOR WOHL: Good Morning. Agenda Item
- 13 8 is looking for Consideration of Support for the
- 14 Memorandum of Understanding regarding the Carpet
- 15 Stewardship Work Group that we've been working on. As
- 16 many of you know, Rick Muller of my staff has been
- 17 attending the Mid-Western Work Group on Carpet Recycling.
- This has included 22 other states and 92 percent
- 19 of the carpet industry. In fact, he's at a meeting in
- 20 Washington D.C. today to finalize the Memorandum Of
- 21 Understanding.
- The Memorandum Of Understanding proposes that
- 23 there would be a disposal rate of 34 percent by the year
- 24 2012. This is intended to be sort of a national average
- 25 rate. As part of that, it includes that there would be a

- 1 25 percent recycling rate, a five percent reuse, one
- 2 percent for waste to energy and three percent for cement
- 3 kilns.
- 4 In California, there may be a potential air
- 5 emission concern associated with burning PVC-backed
- 6 carpet, as well as the unknown potential impacts of
- 7 burning flame retardants, which is a component of carpet.
- 8 However, the three permitted waste to energy facilities in
- 9 California are not prohibited from burning carpet
- 10 currently.
- 11 So that's kind of just a general overview of what
- 12 the Memorandum Of Understanding should contain, and we'll
- 13 be presenting a more detailed item at the Board meeting.
- 14 CHAIRPERSON MOULTON-PATTERSON: Any questions at
- 15 this time?
- 16 Mike.
- 17 BOARD MEMBER PAPARIAN: Do you know if anybody
- 18 has raised concerns about the last issue you mentioned,
- 19 about burning carpet?
- 20 DEPUTY DIRECTOR WOHL: Rick Muller has been
- 21 adamantly discussing the issue of air emissions at the
- 22 table. However, we are, sort of, alone in that issue,
- 23 because the rest of the states use that as a viable means
- 24 of energy already.
- 25 BOARD MEMBER PAPARIAN: Has anybody outside the

- 1 process raised major concerns about this, that you're
- 2 aware of?
- 3 DEPUTY DIRECTOR WOHL: Well, what we proposed
- 4 through this process, if you look at the resolution, we're
- 5 proposing that from here, you would direct Mark or the
- 6 Executive Officer to get together with Winston and Eileen
- 7 Adams and discuss this issue and from there then look at,
- 8 sort of, an inter-BDO issue and see if they have any other
- 9 concerns before we would go forward with signing it.
- 10 BOARD MEMBER PAPARIAN: In terms of the
- 11 development of this proposal nationally, are you aware of
- 12 any outside groups that have raised concerns about that
- 13 issue of burning?
- 14 DEPUTY DIRECTOR WOHL: Like I said, Rick is not
- 15 here. I don't know if Tom knows of any?
- MR. ESTES: Tom Estes. To my knowledge, there
- 17 hasn't been any other dissension, if you will. I mean
- 18 California has been alone on this one. And since it's a
- 19 concensus-based process, it's staying in.
- 20 BOARD MEMBER PAPARIAN: Okay, thank you.
- 21 CHAIRPERSON MOULTON-PATTERSON: Thank you.
- Number 9.
- DEPUTY DIRECTOR WOHL: Okay, Agenda Item 9 is the
- 24 third time you've seen this type of item. And we're
- 25 looking at 17 companies to propose them for compliance

- 1 agreements. And if you'll note, there is a typo in the
- 2 summary section, the very last sentence. It said 16. It
- 3 should be 17 of an estimated 180. I believe we had one we
- 4 thought would go to public hearing, and at the last minute
- 5 they negotiated to fill out a compliance agreement.
- 6 Are there any questions on that?
- 7 CHAIRPERSON MOULTON-PATTERSON: I don't see any.
- 8 DEPUTY DIRECTOR WOHL: Okay. Then Agenda Item 10
- 9 is the proposed scoring criteria for the third cycle of
- 10 the reuse assistance grants, so this is \$250,000. And
- 11 we're trying to cover several issues in here. You might
- 12 want to see if staff has recommendations regarding the
- 13 north south issue and how we would deal with ties, the
- 14 tribal issues and environmental justice, so you might want
- 15 to make note of that and let us know how you feel about
- 16 those.
- 17 CHAIRPERSON MOULTON-PATTERSON: Any questions on
- 18 number 10?
- Okay, thank you very much.
- 20 Any public comments on Waste, Prevention and
- 21 Market Development?
- MR. CUPPS: Yes, I was just kind of curious on
- 23 Agenda Item 8 in the packet, it says agenda will be
- 24 available closer to the meeting. Is that item now
- 25 available? I quess, I didn't have a chance to check on

- 1 the web this morning.
- 2 DEPUTY DIRECTOR WOHL: Yes, it is. And we're
- 3 having copies delivered to the back of the room, so you
- 4 should be able to get them there.
- 5 MR. CUPPS: And then could you please clarify for
- 6 me what is staff's recommendation or what are you
- 7 proposing to do in terms of the issue of burning of, I
- 8 guess, PVC carpet at MSW facilities?
- 9 DEPUTY DIRECTOR WOHL: Yeah, the proposal is
- 10 basically to support the MOU, the Memorandum Of
- 11 Understanding, which does contain the issue of one percent
- 12 going to waste to energy and three percent going to cement
- 13 kilns.
- 14 MR. CUPPS: Support the MOU, which would limit
- 15 one percent of the carpet or one percent of the waste
- 16 stream? I mean, what are we talking about here?
- 17 DEPUTY DIRECTOR WOHL: I think the proposal is
- 18 more to set averages of what they hope to attain. And
- 19 it's currently something like 94 percent or 96 percent of
- 20 all carpets go into a landfill, so they're proposing that
- 21 they would recycle 25 percent of that, reuse three percent
- 22 and that, you know, a certain percentage would still go to
- 23 waste to energy.
- MR. CUPPS: Okay, thank you.
- 25 CHAIRPERSON MOULTON-PATTERSON: Thanks, John.

- 1 Thanks, Patty, very much.
- 2 Administration and Policy.
- 3 ASSISTANT DIRECTOR PACKARD: Those are my agenda
- 4 items.
- 5 CHAIRPERSON MOULTON-PATTERSON: Thanks, Rubia.
- 6 And Rubia, I just wanted to pass along, we had a
- 7 meeting with Cal EPA and your presentation on the
- 8 strategic plan was just complimented so much. And Mark
- 9 and I were so proud of the Waste Board. And so would you
- 10 please thank everyone that, you know, in your group that's
- 11 been working on it, because they really felt like it was a
- 12 model.
- 13 ASSISTANT DIRECTOR PACKARD: Thank you. That's
- 14 nice to hear.
- 15 Agenda Item 11 -- I'm sorry, Rubia Packard, with
- 16 the Policy Office.
- 17 Agenda number 11 is Discussion of and Request for
- 18 Direction on the Proposed Change to the Point of
- 19 Collection of the Integrated Waste Management Fee for
- 20 Waste Exported out of State. And as you recall at the
- 21 June Board meeting, the Board discussed increasing the
- 22 Integrated Waste Management fee and directed staff to
- 23 prepare an agenda item on some of the issues related to
- 24 waste export and point of collection and some other key
- 25 issues, and also requested that staff hold a workshop

- 1 about some of those issues.
- 2 Because we had already held a pretty extensive
- 3 series of workshops on the point of collection, fee
- 4 export, fee equity issue, we felt that we could present
- 5 that information to you rather than holding another series
- 6 of workshops, and proceed from there. So that's what
- 7 we're doing with this agenda item. We've summarized the
- 8 input from the previous workshops on this issue. And I
- 9 will be presenting that and just recommending that we
- 10 continue to pursue a legislative concept related to
- 11 changing the point of collection for waste that is
- 12 exported out of state only, so that the Integrated Waste
- 13 Management fee is captured for that waste to account for
- 14 the services that are provided in all of the other Board's
- 15 program areas to the jurisdictions that are exporting that
- 16 waste.
- 17 And we have done a calculation in there to take
- 18 out the portion of our fee that is related to Regulation
- 19 of Active Landfills. And so it's a reduced fee on waste
- 20 that's exported out of state, reduced IWM fee on waste
- 21 that's exported out of state and it will be accomplished
- 22 by changing the point of collection. So we'll be going
- 23 through all of that more detailed information in the
- 24 agenda item presentation next week.
- 25 Are there any questions?

- 1 CHAIRPERSON MOULTON-PATTERSON: Okay.
- 2 Mike.
- 3 BOARD MEMBER PAPARIAN: A quick clarification.
- 4 In terms of -- presently, we collect a fee at the
- 5 landfill, so all the fees that we currently collect at the
- 6 landfill would continue to be collected at the landfill?
- 7 ASSISTANT DIRECTOR PACKARD: Right. This is
- 8 changing the point of collection only for waste that is
- 9 exported out of state, because it doesn't go through the
- 10 landfill, and therefore it doesn't pay the fee.
- BOARD MEMBER PAPARIAN: Okay, thanks.
- 12 CHAIRPERSON MOULTON-PATTERSON: So in 2000, we
- 13 lost a million dollars that way, the Board did?
- 14 ASSISTANT DIRECTOR PACKARD: Right.
- 15 CHAIRPERSON MOULTON-PATTERSON: Okay, thank you.
- 16 Number 12.
- 17 ASSISTANT DIRECTOR PACKARD: Okay. Agenda Item
- 18 number 12 is Discussion of and Request for Direction on
- 19 the Board's Draft 2001 Strategic Plan. In the previous
- 20 board meeting the Board gave us direction on the goals and
- 21 the vision and the mission and the values.
- I have to apologize to you, I actually did this
- 23 agenda item myself. And in the process of cutting and
- 24 pasting, I made a couple of mistakes. So you should have
- 25 a revised agenda item that reflects the direction that was

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- 1 given to us relative to the vision and the mission, which
- 2 are the two places that I messed up on.
- 3 CHAIRPERSON MOULTON-PATTERSON: Yeah, we have
- 4 that.
- 5 ASSISTANT DIRECTOR PACKARD: And then all of the
- 6 changes that the Board had discussed at the previous
- 7 meeting were incorporated into the values as well, and
- 8 then we took the goals through internal working groups
- 9 with representatives from board member offices, and we
- 10 just developed the objectives and the strategies. And so
- 11 what we're presenting to you next week is all of that
- 12 information including the objectives and strategies. And
- 13 the goals got revised a little bit. Two of the goals were
- 14 combined through their work group, so we just want you to
- 15 take another look at it, look at the objectives and
- 16 strategies, and give us direction that, you know, we've
- 17 hit the target or if there needs to be additional changes.
- And then we'll be taking it through the Cal EPA
- 19 review process and then revising and preparing a final
- 20 draft for you with all of the accompanying text and
- 21 information about the Board and staffing and all of that
- 22 and presenting that to you, we had hoped in September, but
- 23 probably it will be October for final adoption.
- 24 CHAIRPERSON MOULTON-PATTERSON: Thank you. Any
- 25 questions?

- 1 Mike.
- 2 BOARD MEMBER PAPARIAN: We'll be working with
- 3 your office a little bit on maybe something more specific
- 4 on E-waste.
- 5 ASSISTANT DIRECTOR PACKARD: Okay.
- 6 BOARD MEMBER PAPARIAN: Overall, I think it was a
- 7 monumental task to pull this together and pull together
- 8 the different groups that were working on this. It's
- 9 quite an admirable document.
- 10 ASSISTANT DIRECTOR PACKARD: I think that the
- 11 work groups on each of the goals have done an excellent
- 12 job.
- 13 Thank you.
- 14 MS. BRUCE: Rubia, just one question. And I too,
- 15 I know the amount of work that's gone into this and it's
- 16 been fabulous the way you've done this. I know that we
- 17 asked people's input from the staff. I think we had like
- 18 a suggestion box, and there were postings on that. Have
- 19 they been incorporated or should Board Members be
- 20 encouraged to read those to incorporate or what are we
- 21 doing with those?
- 22 ASSISTANT DIRECTOR PACKARD: No, I have read
- 23 them, but they haven't been incorporated except to the
- 24 extent that the work groups read them and incorporated
- 25 them. And I did not go back and check with each of the

- 1 work groups to see if that was done, but I can go back and
- 2 check and take a look at them again and see where those
- 3 are, and if they're addressed in the item.
- 4 And I can address that at the presentation at the
- 5 Board meeting.
- 6 MS. BRUCE: That would be great, because I knew
- 7 we had done it and I just wasn't sure how we closed the
- 8 loop on that piece.
- 9 ASSISTANT DIRECTOR PACKARD: I will do that.
- MS. BRUCE: Thank you.
- 11 CHAIRPERSON MOULTON-PATTERSON: Thanks very much,
- 12 Rubia.
- Any public comments on administration and policy
- 14 Items 11 and 12?
- John.
- MR. CUPPS: Let's see, I guess it was relative to
- 17 agenda -- well, it was the fee issue item that I was
- 18 interested in, and which, I guess, is Agenda Item 11.
- 19 And if I understood correct, you indicated that
- 20 staff was going to be recommending that the Board direct
- 21 staff to continue to pursue some sort of legislative
- 22 solution on that.
- 23 I guess my question is is what sort of timeframe
- 24 are we talking about? Are we talking about trying to do
- 25 something this year? I recognize that, in fact, there's

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- 1 not a lot of time left in the Legislature. On the other
- 2 hand, there probably are any number of vehicles out there,
- 3 and I guess I would also just make note of the fact that
- 4 this board has already voted to increase the existing fee,
- 5 so it seems appropriate that the Board at least, to the
- 6 extent it's feasible, pursue with all vigor whatever
- 7 options are available between now and the end of the
- 8 legislative session to address that other piece of it.
- 9 So my question is what is staff's intent in terms
- 10 of that recommendation?
- 11 ASSISTANT DIRECTOR PACKARD: We had not had
- 12 discussions with any of the Board members in the meeting
- 13 or anything about the timing of this. The one comment
- 14 that I recall had more to do with pursuing it in the
- 15 spring, but that's certainly up to the Board to direct us
- 16 to pursue it if possible --
- 17 CHAIRPERSON MOULTON-PATTERSON: And maybe at the
- 18 Board Meeting --
- 19 ASSISTANT DIRECTOR PACKARD: -- in the very
- 20 little time that's left.
- 21 CHAIRPERSON MOULTON-PATTERSON: -- Caroll could
- 22 let us know what the timeline is and, you know, if it is
- 23 definitely too late or did you want to comment now?
- MS. MORTENSEN: Caroll Mortensen with the
- 25 Legislative Office.

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1 We are, as Mr. Cupps said, we are way down the
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- 2 line as far as legislation. It sounds like this is
- 3 something we want to make sure we get all our ducks in a
- 4 row before we proceed, but at the Board's direction we
- 5 will do what we can.
- 6 CHAIRPERSON MOULTON-PATTERSON: Thank you.
- 7 Thanks, John.
- 8 CHAIRPERSON MOULTON-PATTERSON: Okay, Pat, we're
- 9 back to you, Diversion, Planning and Local Assistance.
- 10 DEPUTY DIRECTOR SCHIAVO: Item number 13 is
- 11 changing the base year to 1998 for the City of Big Bear
- 12 Lake in San Bernardino County and it's also to bring this
- 13 jurisdiction off of compliance. This is a relatively
- 14 small jurisdiction. It has a population of 6,000.
- 15 However, you know, two-thirds of that population just has
- 16 vacation homes there for the most part.
- 17 So the population is really more around 2,000.
- 18 The pounds per person per day is extremely high and that's
- 19 a result of a lot of construction and demolition waste,
- 20 which is very heavy. They don't have a lot of other waste
- 21 types.
- 22 If you look, they have -- most of their diversion
- 23 is a product of a lot of construction demolition waste and
- 24 that was waste that was previously disposed prior to 1990,
- 25 and that's all documented. The construction demolition

- 1 waste they're claiming in this base year is also very well
- 2 documented. And the City representative is very eager to
- 3 make his presentation, so he feels very confident.
- 4 CHAIRPERSON MOULTON-PATTERSON: So they will be
- 5 here?
- 6 DEPUTY DIRECTOR SCHIAVO: Yeah.
- 7 CHAIRPERSON MOULTON-PATTERSON: Also, could you
- 8 provide us with the Paris database printout. You did that
- 9 last month, and I think it provides --
- 10 DEPUTY DIRECTOR SCHIAVO: Yeah, it's actually on
- 11 page 13-5 --
- 12 CHAIRPERSON MOULTON-PATTERSON: Oh, okay. I
- 13 missed it.
- 14 DEPUTY DIRECTOR SCHIAVO: -- is the program
- 15 listing.
- 16 CHAIRPERSON MOULTON-PATTERSON: Is that the
- 17 Paris --
- 18 DEPUTY DIRECTOR SCHIAVO: It's a product of the
- 19 Paris, and it lays out the programs. I'm not sure --
- 20 CHAIRPERSON MOULTON-PATTERSON: I'll look it
- 21 over --
- 22 DEPUTY DIRECTOR SCHIAVO: Okay.
- 23 CHAIRPERSON MOULTON-PATTERSON: -- and see if I
- 24 need anymore.
- DEPUTY DIRECTOR SCHIAVO: Okay.

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1 CHAIRPERSON MOULTON-PATTERSON: Thank you.
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- 2 DEPUTY DIRECTOR SCHIAVO: They have residential
- 3 programs, curbside, buybacks and dropoffs. However, they
- 4 have not brought in that much diversion as a result of the
- 5 type of population, how sparse it is, for the most part,
- 6 but they do exist.
- 7 CHAIRPERSON MOULTON-PATTERSON: Mike.
- 8 BOARD MEMBER PAPARIAN: A couple of questions.
- 9 The C&D debris, I mean, did it seem like that's going to
- 10 be ongoing or was it kind of a one-time --
- 11 DEPUTY DIRECTOR SCHIAVO: No, this is ongoing.
- 12 The numbers you see in here are based on three years of
- 13 averaging, so we could try to normalize it, so we wouldn't
- 14 have an artificially high spike in this new base year.
- 15 That would be, you know, future years would be measured
- 16 against, so we took three years to come up with an
- 17 average, but this seems -- because of the winter
- 18 conditions, this seems to be a pretty normal process they
- 19 go through.
- 20 BOARD MEMBER PAPARIAN: Then one thing that I'm
- 21 just curious about, it appears that one of the things they
- 22 do is they dredge soil out of the lake then put it on
- 23 land, yet get that as diversion, is that right?
- 24 DEPUTY DIRECTOR SCHIAVO: Yeah. And my
- 25 understanding is that material, again, was previously

- 1 disposed, it went to their landfill. And the
- 2 representative can explain that in a lot more detail than
- 3 I can, but it was previously disposed.
- 4 BOARD MEMBER PAPARIAN: Thanks.
- 5 CHAIRPERSON MOULTON-PATTERSON: Thanks, Pat.
- 6 Fourteen, 15 and 16 are consent.
- 7 Did anyone have any questions on those?
- 8 Okay. Why don't you go straight to 17, I don't
- 9 see any questions.
- 10 DEPUTY DIRECTOR SCHIAVO: Okay, 17 is Sand City
- 11 and the Board rejected their base year at the last
- 12 meeting. Apparently, the jurisdiction did go back and
- 13 they did weigh some of those bales, and they came in
- 14 right, just about, at the average. It was like 1,380
- 15 pounds, so we felt very confident in that after that, they
- 16 went out and reweighed the bales that were in question.
- 17 And I believe that was -- there was that question and then
- 18 a question regarding the pallet reuse and that was taken
- 19 care of, I believe. So it's very minimal as far as a
- 20 portion of their waste stream.
- 21 CHAIRPERSON MOULTON-PATTERSON: Mike.
- 22 BOARD MEMBER PAPARIAN: Their document comes up
- 23 with a diversion rate of 47 percent, and we have 45 in
- 24 ours.
- 25 DEPUTY DIRECTOR SCHIAVO: Yeah, that was the

- 1 original or the updated one at the last board meeting, and
- 2 we made the edits and the new rate is 45 percent.
- 3 BOARD MEMBER PAPARIAN: Okay, so should we be
- 4 getting a new attachment for the Board Members?
- 5 DEPUTY DIRECTOR SCHIAVO: Yeah, I'll check into
- 6 that.
- 7 BOARD MEMBER PAPARIAN: And then just the
- 8 attachment that I have is hard to read, the Xerox didn't
- 9 come through very well.
- 10 DEPUTY DIRECTOR SCHIAVO: Okay. We'll see --
- 11 okay, thanks.
- 12 BOARD MEMBER PAPARIAN: Thanks.
- 13 CHAIRPERSON MOULTON-PATTERSON: Okay, that ends
- 14 permits, LEA, and facility compliance.
- 15 Any public comments?
- Oh, excuse me, I saw everyone looking at me
- 17 strangely. That ends Pat's diversion and we're going to
- 18 Permits, LEA and Facility Compliance. I'm sorry, Julie.
- 19 I do know which is your department.
- 20 DEPUTY DIRECTOR NAUMAN: That's okay. Julie
- 21 Nauman, Permitting and Enforcement. Item 18 is
- 22 Consideration of a New Solid Waste Facility Permit for
- 23 Environmental Reclaiming Solutions in Yolo County.
- 24 The Board will remember that this item was before
- 25 you at your June meeting, at which time the operator

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- 1 agreed to waive time. The issue here is the status of the
- 2 facility's conditional use permit.
- 3 The Planning Commission has begun the process to
- 4 revoke the conditional use permit because some of the
- 5 conditions had not been met. The Planning Commission is
- 6 holding another meeting on this item, it looks like,
- 7 tomorrow, so we will be able to report back to you on the
- 8 outcome of that proceeding.
- 9 However, staff believes that all of the issues
- 10 are in place and that we will probably be making a
- 11 recommendation of concurrence, but, again, subject to
- 12 whatever happens at that Planning Commission meeting and
- 13 then we'll have a discussion of the relationship between
- 14 the conditional use permit and your authority with respect
- 15 to the solid waste facility permit.
- 16 CHAIRPERSON MOULTON-PATTERSON: Thank you.
- 17 Any questions on 18?
- Jose.
- 19 BOARD MEMBER MEDINA: No questions, Madam Chair.
- 20 Just looking at their compliance history, I just notice
- 21 that they have a number of violations over the period of
- 22 '98 to 2001.
- 23 DEPUTY DIRECTOR NAUMAN: That's correct. And you
- 24 may recall in June the LEA was here and the Board did have
- 25 a number of questions for him about that. Prior to the

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- 1 June board meeting, I sat down with the LEA and his staff
- 2 and had a meeting with respect to that history and its
- 3 potential impact on this permit.
- 4 So we are continuing to work with that LEA and
- 5 trying to impress upon him how important it is to take the
- 6 appropriate action at the appropriate time. So this
- 7 history does certainly reflect the concerns that we have
- 8 as well.
- 9 BOARD MEMBER MEDINA: And is this something that
- 10 we track with all of the permit applicants in regard to
- 11 their compliance history and if there is any action that
- 12 we take in regard to, you know, when we have these type of
- 13 histories?
- DEPUTY DIRECTOR NAUMAN: A couple of things, Mr.
- 15 Medina. When we are reviewing a particular application
- 16 for a facility, we do look at the compliance history of
- 17 that facility. Similarly, when we're looking at permits
- 18 and inspection reports, we're also looking at the
- 19 performance of the LEA, kind of, on an ongoing basis. We
- 20 have a number of, what we recall, triggers within the
- 21 division, so that if on the permitting and inspection
- 22 side, we're seeing some activities that don't quite square
- 23 with our expectations, then we'll consult with the LEA
- 24 Support Service's section, within my division, that deals
- 25 with the LEA evaluation.

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1 And if we see something that does appear to be
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- 2 irregular, then we'll initiate an administrative
- 3 discussion with the LEA that could also then lead to an
- 4 evaluation outside of the normal cycle of the evaluation.
- 5 And then when we're actually in the official cycle of
- 6 evaluation for each LEA, we do look at the history of
- 7 their performance with respect to permit processing and
- 8 inspection reports. So there are a number of ways that we
- 9 try to track and cross check through our activities the
- 10 performance of the LEAs.
- 11 BOARD MEMBER MEDINA: Very good. Thank you.
- 12 CHAIRPERSON MOULTON-PATTERSON: Thank you.
- 13 Number 19.
- DEPUTY DIRECTOR NAUMAN: Okay, 19 is a revised
- 15 permit for Calexico and Imperial county. This is, again,
- 16 one of the older permits in Imperial county. A number of
- 17 modifications have already occurred in the operation of
- 18 the facility and those will be validated with this permit
- 19 action.
- The prepermit inspection had not been completed
- 21 at the time the item was prepared and has been completed,
- 22 so there are no outstanding issues on this item. And we
- 23 will be recommending concurrence.
- 24 Item 20 is a revised permit for Midway Landfill
- 25 in San Luis Obispo County. There are some outstanding

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- 1 issues on this item. Mark just briefed me during the last
- 2 set of items. New information is coming to us almost on
- 3 an hourly basis with this permit. There are some issues
- 4 with respect to the environmental document that's being
- 5 used and its adequacy, so we are in discussions with the
- 6 operator and the County with respect to how to resolve
- 7 those issues.
- 8 One option that we may be recommending to you is
- 9 for the Board to take over and complete the CEQA
- 10 documentation for this permit, but since we're still in
- 11 the midst of those discussions, unless you have specific
- 12 questions about that, I'd suggest that we just continue
- 13 our dialogue with the players and keep you advised and
- 14 bring forward a recommendation next week.
- 15 CHAIRPERSON MOULTON-PATTERSON: Okay. I don't
- 16 see any questions.
- 17 DEPUTY DIRECTOR NAUMAN: Item 21 is a revised
- 18 permit for the Sonoma Transfer Station in Sonoma County.
- 19 All issues have been addressed. There are no outstanding
- 20 issues or any opposition to this revision, so we will be
- 21 recommending concurrence.
- 22 And 22.
- 23 CHAIRPERSON MOULTON-PATTERSON: It looks like
- 24 their compliance history has gotten a lot better, if look
- 25 at the violations.

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1 Okay, thank you.
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- 2 DEPUTY DIRECTOR NAUMAN: And on any of these, if
- 3 you have any questions about any of these violations, we
- 4 do have the backup with us, so again we're trying to
- 5 balance how much information to put in the agenda item so
- 6 it doesn't get too lengthy, so I realize it is a little
- 7 cryptic to just say one or two, but if you're interested
- 8 in knowing the exact nature of those, please let us know.
- 9 Okay, that completes the permit actions. We now
- 10 have a couple of other items related to policies and
- 11 regulations. The first of which is Item 23, is
- 12 Consideration of Approval to Begin the Formal Notice
- 13 Period for Proposed Regulations for Compostable Materials,
- 14 Handling Operations and Facilities. We sometimes refer to
- 15 these as the compost regs or the organics regs.
- 16 The Board will recall that in February and,
- 17 again, in April you directed us to continue to work with
- 18 the stakeholders and other interested parties with respect
- 19 to outstanding issues.
- We've taken that direction very seriously, and
- 21 have held seven meetings with the stakeholders since that
- 22 time. We have another session scheduled for tomorrow with
- 23 the group. We are reaching consensus on a number of
- 24 issues. You may hear from some that there are still a
- 25 lack of consensus on a couple of issues, but we're working

- 1 very hard to get through those.
- 2 We don't believe that any of the issues that
- 3 still have some degree of lack of consensus, if you will,
- 4 are significant enough that we would recommend waiting to
- 5 go forward with the 45-day comment period. We think those
- 6 issues can be resolved within the 45 day comment period,
- 7 which, as a practical matter, doesn't really even start
- 8 for another 30 to 60 days by the time we take your
- 9 direction, prepare the package for the Office Of
- 10 Administrative Law and receive the approval to receive the
- 11 45-day notice.
- 12 So there is a lot of time left in this process
- 13 and we would really like to begin that formal process so
- 14 that we can engage other members of the public in this
- 15 dialogue and debate over these issues.
- So you probably will hear some testimony during
- 17 the Board meeting next week with respect to whether we're
- 18 ready to go out for a 45-day review or not, but it is the
- 19 staff's recommendation that we do.
- 20 CHAIRPERSON MOULTON-PATTERSON: Thank you.
- 21 Questions?
- Mike.
- 23 BOARD MEMBER PAPARIAN: Last time this came up, I
- 24 brought up the question about the maximum acceptable metal
- 25 concentrations. And I think I asked that we ask OEHHA

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- 1 their views on that. I know that they commented on
- 2 similar numbers that CDFA was going to use for fertilizer.
- 3 DEPUTY DIRECTOR NAUMAN: We have been consulting
- 4 with them. And, in fact, the staff kind of took your
- 5 direction really to heart. And I'm kind of proud of the
- 6 efforts that they've made to kind of use this as a model
- 7 way to do regulations kind of across BDOs and have
- 8 actually been consulting with all of the BDOs that we $\,$
- 9 believe have any kind of relationship with us on this
- 10 particular package.
- 11 So, in addition, to OEHHA, we have been talking
- 12 with the other BDOs and we'll be prepared to give you a
- 13 full report on all of those consultations next week, but
- 14 we have been talking with OEHHA.
- BOARD MEMBER PAPARIAN: Okay, thanks.
- 16 CHAIRPERSON MOULTON-PATTERSON: Thank you.
- 17 Number 24.
- DEPUTY DIRECTOR NAUMAN: Item 25 is Discussion of
- 19 the Board's Presentation to Consider Adoption of Proposed
- 20 Emergency Regulations for What we Normally Refer to as the
- 21 PEP Policy.
- 22 CHAIRPERSON MOULTON-PATTERSON: Just for
- 23 clarification, that is 24, isn't it?
- 24 DEPUTY DIRECTOR NAUMAN: Yes, I'm sorry. It is
- 25 Item 24.

- 1 At the Board's direction, we have been working
- 2 with three Board offices as well as CCDEH and EAC on the
- 3 development of proposed emergency regulations, consistent
- 4 with the direction that the Board gave us. Because of the
- 5 involvement with three board offices, we've been holding
- 6 those discussions in a public setting, notice setting, in
- 7 which the stakeholders have been participating.
- 8 We had a lively session yesterday that went on
- 9 till about 5:30, so we don't have a final revised version
- 10 for you yet, but those discussions are going very well.
- 11 We will, prior to the Board meeting, staff is working on
- 12 it right now, have back out to you and to the interested
- 13 parties another working draft of the efforts to date.
- 14 There are a few issues that are still kind of
- 15 being discussed. We'll be presenting those to you for
- 16 your consideration, but the three board offices that have
- 17 been participating felt that it was important that we
- 18 bring their work back to you at the August meeting, and
- 19 let you review what's been done and then determine whether
- 20 you're ready to proceed with the adoption of those
- 21 emergency regs or you want to workshop it some more.
- 22 Okay, so we'll get that out to you as soon as it's
- 23 completed.
- 24 CHAIRPERSON MOULTON-PATTERSON: Thank you.
- 25 Thanks for all your hard work on that. Okay, that ends

- 1 the permits, LEA and facility compliance section of our
- 2 agenda.
- 3 Any public comments?
- 4 John and then Denise.
- 5 MR. CUPPS: Relative to the PEP item, Julie, you
- 6 indicated that you would have a revised draft available to
- 7 the Board offices and members of the public. I assume
- 8 that it will be available on the web site, but could you
- 9 give us perhaps an indication when we might expect that?
- 10 DEPUTY DIRECTOR NAUMAN: It will be posted on the
- 11 web site, as we have posted all previous drafts. I'm
- 12 looking for Mark de Bie to pop up and give me a proposed
- 13 date when staff might have that ready, and there he is.
- I told him he didn't have to have it this
- 15 morning, but I told him he had to have it soon.
- 16 PERMITTING AND INSPECTION BRANCH MANAGER de BIE:
- 17 Since we finished with the workshop at 5:30, Julie let us
- 18 go home. Staff are currently working on it reflecting the
- 19 discussion from yesterday, and I'm hopeful that we can
- 20 submit it to our web managers today and have it posted.
- 21 It will be posted both on the regulatory development part
- 22 of our web page and then also we'll be submitting it as
- 23 part of the agenda item.
- 24 So hopefully by close of business today, and then
- 25 it takes some time to actually get it on the web page, but

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- 1 certainly by the end of the week it will be there.
- 2 CHAIRPERSON MOULTON-PATTERSON: Thank you.
- 3 Thanks, John.
- 4 Denise.
- 5 MS. DELMATIER: Madam Chair, Members of the
- 6 Board, Denise Delmatier with NorCal Waste Systems in
- 7 regards to Item 23, the compost regs.
- 8 First of all, I want to say that I think a lot of
- 9 progress has been made over the past several months in
- 10 bringing all the stakeholders together on this item, and I
- 11 wanted to acknowledge that. However, I think there are
- 12 some remaining concerns that we would ask that the
- 13 regulatory package be put over for one month, in
- 14 particular we remain quite concerned about the inclusion
- 15 of paper products in the definition of green material
- 16 composting operation.
- 17 And we have advocated that, at least for the
- 18 notification tier, that dirty paper composting ought not
- 19 to take place, and that mere notification tier needs to be
- 20 in a higher tier and so we have advocated that rather
- 21 strenuously.
- We have also requested that the paper industry be
- 23 included in those meetings that staff has been conducting.
- 24 And as of last Thursday, the Paper Association was able to
- 25 appear for the very first time at that meeting and also

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- 1 requested that the regulatory package be put over for one
- 2 month in order to afford the opportunity for both the
- 3 solid waste industry and the paper industry to sit down
- 4 and look at some compromise solutions for the permitting
- 5 and tiering of paper composting.
- 6 I've worked with the paper industry for several
- 7 years, and I'm quite confident that we can reach a
- 8 compromise solution and have a package that's ready to go
- 9 next month. And that is the indication that the paper
- 10 industry has given to me as well.
- 11 They have requested that we sit down. We will be
- 12 doing that next. I mean not next month, next week. The
- 13 paper industry representative, Ms. Kathy Lynch,
- 14 unfortunately is on vacation this week and has requested a
- 15 meeting next week and we'll be doing that.
- So I think that we've made a lot of progress, but
- 17 I would ask that this package be put over, so that we can
- 18 have a work product that best reflects a consensus
- 19 document.
- 20 CHAIRPERSON MOULTON-PATTERSON: Thank you,
- 21 Denise.
- 22 George Larson.
- MR. LARSON: Thank you, Madam Chair and members.
- 24 George Larson on behalf of Waste Management. I just want
- 25 to echo Denise's comments that substantial progress has

- 1 been made. There are some new actors in the arena, and I
- 2 don't think there would be any downside to a delay of one
- 3 month for consideration, so we can get all of the
- 4 respective thoughts and ideas out and get the package into
- 5 a format or a form that will move forward quickly in
- 6 September.
- 7 Thank you.
- 8 CHAIRPERSON MOULTON-PATTERSON: The paper
- 9 industry can't have a representative there tomorrow; is
- 10 that right?
- MS. DELMATIER: No.
- 12 CHAIRPERSON MOULTON-PATTERSON: Okay, thank you.
- 13 We'll move on to Special Waste right now.
- Who's doing this?
- 15 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:
- 16 Good morning. Martha Gildart with the Waste Tire
- 17 Management Branch.
- 18 CHAIRPERSON MOULTON-PATTERSON: Thank you,
- 19 Martha.
- 20 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:
- 21 And I'll be describing the used oil and household
- 22 hazardous waste branch items also, which is the first one
- 23 we have, number 25.
- 24 Consideration of Approval of the Grant Awards for
- 25 the Household Hazardous Waste Grant Program for Fiscal

- 1 Year 2001/2002.
- This grant program had a \$3 million allocation.
- 3 There were 33 applications of which 12 passed, which would
- 4 use about \$2.4 million. So staff is recommending approval
- 5 of those grant applications and award of funds. And then
- 6 that remaining \$600,000 rolls forward into the next item,
- 7 Item number 26, which is where we are proposing using some
- 8 of those funds from this fiscal year to fund passing
- 9 applications from the last cycle of the same grant program
- 10 that occurred just in June.
- 11 So they're actually linked, the two items, that
- 12 they went through the normal review process and ranking.
- Okay. Then Item 27 is Consideration of Approval
- 14 for Augmentation of Engineering in Environmental Services
- 15 Contract. This is the contract, the second of two
- 16 contracts that we have had with Dana Humphries to provide
- 17 his expertise on civil engineering applications for tire
- 18 shreds, things like lightweight fill.
- 19 Attachment number 1 describes several projects
- 20 that he's undertaken. He has been working with the
- 21 Department of Transportation on lightweight fill projects
- 22 on vibration attenuation projects with the lightrail
- 23 system in Santa Clara valley.
- 24 The contract was actually announced at a funding
- 25 level of \$250,000, but due to the budgetary constraints

- 1 last year, we didn't have full funding available, so what
- 2 we're requesting here is to augment this contract up to
- 3 its full \$250,000 level, so that would mean adding about
- 4 \$146,000 to the \$103,000 that it was awarded at.
- 5 And then there is an Item number 4 on today's
- 6 agenda, which is a description of some of the civil
- 7 engineering projects the Board has undertaken using the
- 8 expertise provided by Dr. Humphries, and that will be at
- 9 the end of the briefing today.
- 10 The next item --
- BOARD MEMBER MEDINA: Questions?
- 12 BOARD MEMBER PAPARIAN: Yeah, just briefly. It's
- 13 more a quick statement. I've brought up in the past my
- 14 desire to see if we can help build more expertise in-state
- 15 on some of these tire related items and that's something
- 16 I'm looking forward to working with the staff with in the
- 17 coming months. Mr. Humphries, I'm sure does a fantastic
- 18 job at what we does, but it would be wonderful to have
- 19 some of that expertise in California.
- 20 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:
- 21 Item number 28 is Consideration of Approval of the Grant
- 22 Awards for the Local Government Waste Tire Cleanup Grant
- 23 Program.
- This is one that we've announced to have two
- 25 separate filing cycles for the year. The Board had

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- 1 approved an allocation of \$1 million into the five year
- 2 plan that was approved in March, now that the budget's
- 3 been signed. This is going to be the first award, and
- 4 then there will be a second cycle in the fall.
- 5 We only received two applications in this cycle.
- 6 We are recommending funding both of them. There's the
- 7 Salinas Valley project for \$9,450 and the City of Modesto
- 8 project for \$27,499. They're described in Attachment 2 to
- 9 the item.
- 10 BOARD MEMBER MEDINA: So the first cycle, when
- 11 was the deadline for the first cycle?
- 12 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:
- 13 The deadline, it was probably in April. Let me check.
- 14 Yeah, it was in April, April 17th but --
- BOARD MEMBER MEDINA: And the cutoff for the
- 16 second cycle would be?
- 17 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:
- 18 The second one, I believe, is in August.
- 19 Item 29 is --
- 20 MR. ALEMAN: Martha, before you go on, is there
- 21 going to be a third cycle on this?
- 22 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:
- 23 We hadn't intended to. If there are funds left, there
- 24 should be the ability, if the timeline allows, to do a
- 25 third cycle.

- 1 MR. ALEMAN: And if there was, do you have any
- 2 idea of funding availability at this time?
- 3 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:
- 4 Well, we have the million dollars that the Board allocated
- 5 to this program. And, obviously, we're not using anywhere
- 6 near it in this allocation. So if in the second cycle if
- 7 we still have funds remaining after that, I think we could
- 8 possibly get a third cycle out.
- 9 INTERIM EXECUTIVE DIRECTOR LEARY: I was just
- 10 going to comment briefly that didn't the five-year plan
- 11 propose a million dollars per year or actually it
- 12 increased through the five-year plan, so we're talking
- 13 about individual cycles within a fiscal year. But the
- 14 Board has allocated, through the five-year plan,
- 15 additional monies in subsequent years.
- So this is a program that the program has wanted
- 17 to make ongoing and, in fact, increase the funding, so
- 18 we'd have more cleanups happen at the local level, through
- 19 this grant program. So we have plenty of money available,
- 20 I think.
- 21 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:
- 22 Item 29 is Consideration of Approval of a Scope of Work
- 23 for a Tire Subsidy Rebate Study.
- 24 This was one that the Board also approved funding
- 25 for in its five-year plan. We have had discussions with

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- 1 the California State University at the Sacramento Graduate
- 2 Program of Policy Research, where they are proposing to
- 3 carryout this study using graduate student research. They
- 4 will be assigning different aspects of this issue as
- 5 thesis topics for their graduate students.
- 6 The staff is very excited about this. It's, I
- 7 think, a very good way to develop our relationship with
- 8 the universities. And the University, too, is wanting to
- 9 increase its links with State government. They've
- 10 established this Graduate School of Public Policy to help
- 11 State government carryout specific research projects, so I
- 12 think they're going to be a very committed contractor.
- 13 And then Item 30 is Consideration of Adoption of
- 14 the Proposed Regulations for the Playground Safety and
- 15 Recycling Act Grant Program. This was the program set up
- 16 to provide grants to schools -- school districts to
- 17 improve existing playgrounds under AB 1055, Villaraigosa.
- 18 It had also directed the Board to adopt
- 19 regulations. We had adopted the emergency regulations and
- 20 these now are the final permanent regulations. They will
- 21 be used to help carryout the remaining timeline in the
- 22 actual grant. There are no additional funds available for
- 23 further grant awards though.
- 24 CHAIRPERSON MOULTON-PATTERSON: Okay. I just
- 25 wanted to mention yesterday the Board received a

- 1 resolution praising them for the cleanup in Antelope
- 2 Valley by the LA Board of Supervisors. And it was
- 3 mentioned by Supervisor Yvonne B. Burke how much Los
- 4 Angeles appreciated our work in the playground grants, and
- 5 everything. So I just wanted to pass that along.
- 6 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:
- 7 Thank you.
- 8 CHAIRPERSON MOULTON-PATTERSON: Thirty-one.
- 9 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:
- 10 Item 31 would be a presentation on the findings of a
- 11 survey of do-it-yourselfers. These are people who change
- 12 their own oil. The attempt is to identify what
- 13 populations do-it-yourself, and how to reach them best,
- 14 what our materials, our educational outreach materials
- 15 should be focused on.
- 16 It was conducted by San Francisco State
- 17 University's Public Research Institute. And they'll be
- 18 presenting their findings.
- 19 CHAIRPERSON MOULTON-PATTERSON: Mike.
- 20 BOARD MEMBER PAPARIAN: Can we get some more
- 21 background on this before the meeting to look over, in
- 22 terms of the results of the statewide survey and the focus
- 23 group and so forth.
- 24 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:
- 25 This is in Shirley's branch, so Don Peri has that.

- 1 MR. PERI: Don Peri. That's actually what
- 2 they're going to present. We haven't seen the findings
- 3 yet, so they're going to be presenting that.
- 4 BOARD MEMBER PAPARIAN: Okay, so we don't have
- 5 any -- okay, so the first time they're going to be
- 6 revealed is at the Board meeting?
- 7 MR. PERI: Right. They did a pilot study and
- 8 we've seen the information there, but we haven't actually
- 9 seen their findings yet.
- 10 BOARD MEMBER PAPARIAN: Well, if we get anything
- 11 ahead of time, if that can be distributed, that would be
- 12 great.
- MR. PERI: Sure.
- 14 CHAIRPERSON MOULTON-PATTERSON: Thanks, Mike.
- Okay, we have finished with Special Waste and
- 16 we'll go to public comments.
- 17 Terry LeVeille.
- MR. LEVEILLE: Thank you, Madam Chair and board
- 19 members. Terry LeVeille with TL & Associates. I just had
- 20 a couple of quick comments on, let's see one item. Item
- 21 28, on Attachment 2 on the City of Modesto cleanup, in one
- 22 section it reads Golden Byproducts is going to provide
- 23 pickup and then on the second section it says proposed
- 24 cleanup method is Total Tire Recycling.
- There seems to be a conflict there, unless

- 1 there's a new merger between these giants of waste
- 2 management waste tire cleanup projects.
- 3 SUPERVISING WASTE MANAGEMENT ENGINEER GILDART:
- 4 We can check into that.
- 5 MR. LeVEILLE: That was not really a tweak.
- 6 Really more importantly, in representing the
- 7 California crumb rubber producers, on the scope of work
- 8 for the Cal State contract, if, in deed, the Board goes
- 9 through with it, I would like to see in there in the scope
- 10 some specificity to the primary issue that sparked this
- 11 study, which was specifically crumb rubber as the number
- 12 one issue regarding subsidies.
- 13 And with that, I would also like to see if there
- 14 was -- if there could be something concluded in there
- 15 about communication with, you know, the agencies or
- 16 organizations that are focused on this particular issue,
- 17 which is the issue of subsidies out-of-state subsidies,
- 18 out-of-country subsidies and their impact upon the
- 19 California producers.
- I know it's written very generally in the scope,
- 21 but if in some way if you take a look at the entire issue
- 22 of subsidies, the real focus and the real critical issue
- 23 right now has to do with crumb rubber importation.
- 24 And if there's just someway that that could be
- 25 highlighted, we would certainly be pleased to see that in

- 1 the scope.
- 2 CHAIRPERSON MOULTON-PATTERSON: Thank you, Terry.
- 3 BOARD MEMBER PAPARIAN: Madam Chair.
- 4 CHAIRPERSON MOULTON-PATTERSON: Mike.
- 5 BOARD MEMBER PAPARIAN: Just to follow-up on
- 6 that. I think that's an excellent idea. I mean, you
- 7 know, maybe one of the things we might want to consider is
- 8 some sort of informal workshop with some of -- the
- 9 professor and some of the students working on this project
- 10 with some of the key players in this issue area. I think
- 11 that it could be quite beneficial to them to get some
- 12 firsthand knowledge about what's really going on in the
- 13 real world.
- MR. LeVEILLE: That would be appreciated. I
- 15 notice there is one issue dealing with NAFTA. And one of
- 16 the things that the crumb rubber procedures in California
- 17 are finding out is that when we're looking at possibly
- 18 lodging a protest with NAFTA, how the United States and
- 19 Canada lumps -- they tend to lump a lot of the rubber
- 20 issues all together, so crumb rubber may be lumped with
- 21 whole tire rubber.
- 22 And so there does seem to be something lost in
- 23 this issue if we try to raise the unfair dumping protest,
- 24 and it's just one of the things that this group has done
- 25 at Cal State. We've done quite a bit of research on the

- 1 NAFTA issue especially that I think we could provide some
- 2 valuable input and some of the hurdles that we're meeting
- 3 in terms of dealing with the subsidized crumb rubber
- 4 coming in from Canada.
- 5 CHAIRPERSON MOULTON-PATTERSON: I agree with
- 6 Mike. I think that's an excellent suggestion. Maybe we
- 7 can see that that happens.
- 8 Thank you, Terry.
- 9 Okay. Now, we go to other, Number 32, Discussion
- 10 of New Features and Directions for California Waste Stream
- 11 Profiles.
- John Sitts, will you be doing this?
- 13 Thanks, John.
- 14 MR. SITTS: Thank you. Good morning. John Sitts
- 15 with the Office of Organizational Effectiveness.
- 16 At the Board meeting, I'm going to be presenting
- 17 some of the new features and profiles. At the April Board
- 18 Meeting we talked about environmental justice, and we
- 19 identified three different ways to help address some of
- 20 the environmental justice issues through profiles.
- One was adding tribal lands to the GIS maps and
- 22 profiles. I'm going to show you how that works and that
- 23 will be on the web site active then.
- 24 Adding census track demographics, so you can get
- 25 ideas of income, age, race that type of thing for the

- 1 different census tracks.
- 2 And then also adding State and local contacts so
- 3 that it's easier for people on the outside of this
- 4 organization to figure out who to talk to both here and at
- 5 the local level.
- 6 So we'll be showing those three new features. In
- 7 addition, we'll be previewing school district profiles
- 8 which will also be active, and a little addition that we
- 9 have related to the RMDZs and the businesses and loans
- 10 located in those zones.
- 11 After that, a quick preview of a future profile,
- 12 which we're working on right now, which is on active and
- 13 permitted landfills, which we've talked to quite a few
- 14 stakeholders and internal folks and external folks, and
- 15 we're still working on those. And, in fact, at the LEA
- 16 conference we're going to be presenting those to get some
- 17 more comment.
- 18 CHAIRPERSON MOULTON-PATTERSON: Great. Well,
- 19 we're really happy you're working so hard on those
- 20 profiles. They're very helpful to us.
- 21 Any questions?
- 22 We'll look forward to your presentation. Okay,
- 23 Number 33, Pending Legislation. Our acting Ledge
- 24 Director, Carol Mortensen.
- 25 Carol, we're glad you're here. Did you have a

- 1 formal -- anything you'd like to say now?
- 2 MS. MORTENSEN: Yeah, I just was going to let the
- 3 Board know for the Board meeting next week we're going to
- 4 provide an update of all the priority bills that we've
- 5 been watching and let you guys know where they are in the
- 6 process, and also bring you up to date on some of the
- 7 two-year bills that have been shelved and why you won't
- 8 see any action on them this year, unless there's any other
- 9 direction you'd like to hear.
- 10 CHAIRPERSON MOULTON-PATTERSON: Any questions?
- Okay. Carol, thank you very much. We appreciate
- 12 it.
- 13 And, Trisha, I understand in education you're
- 14 bringing all the parties together and we're really happy
- 15 to hear about that and thanks for being here.
- Okay, any public comments about 32 or 33?
- John CUPPS.
- 18 MR. CUPPS: Just a quick question. In terms of
- 19 the waste profiles, John, were all of those elements you
- 20 described now active?
- 21 MR. SITTS: The tribal lands census track
- 22 demographics and contacts and school districts and the
- 23 RMDZ information will all be active by the time the Board
- 24 meeting is happening. We're doing some quality control
- 25 checks and making sure that all the links and everything

- 1 work. The active landfill profiles are still in
- 2 development, so they're just conceptual drafts.
- 3 MR. CUPPS: But they will be active by the date
- 4 of the Board meeting, the first ones will?
- 5 MR. SITTS: The first ones will.
- 6 MR. CUPPS: Thank you.
- 7 CHAIRPERSON MOULTON-PATTERSON: Okay, thanks
- 8 John.
- 9 We need a short break before staff sets up for
- 10 our four discussion items. No, three discussion items
- 11 EPIC, Implementation of AB 75 and civil engineering uses
- 12 for waste tires. So we'll take -- do you need about 10,
- 13 15 minutes?
- 14 ASSISTANT DIRECTOR PACKARD: Ten would be fine.
- 15 CHAIRPERSON MOULTON-PATTERSON: Ten minutes,
- 16 okay.
- We should be finished by noon.
- 18 (Thereupon a brief recess was taken.)
- 19 CHAIRPERSON MOULTON-PATTERSON: We're going to
- 20 call the meeting back to order -- the workshop back to
- 21 order.
- 22 Our first presentation discussion is of the
- 23 California Environmental Protection Indicators Project,
- 24 better known as EPIC. And I'll turn it over to Rubia
- 25 Packard.

- 1 ASSISTANT DIRECTOR PACKARD: Thank you, Madam
- 2 Chair and good morning again. We're here to present an
- 3 overview for you of the EPIC project, and we've asked
- 4 Carmen Milanes who's the project lead for the EPIC Project
- 5 to address you today.
- 6 Carmen is a research scientist with the Office Of
- 7 Environmental Health Hazard Assessment and she's been with
- 8 OEHHA for about 15 years starting back when the office was
- 9 part of the Department of Health.
- 10 After Carmen provides an overview of the project,
- 11 Diane Vlach of the Board's Permitting and Enforcement
- 12 Division will be describing the environmental indicators
- 13 that have been developed in the solid waste area for you.
- Diane will also be providing information about
- 15 issues or subject areas that were originally considered
- 16 for inclusion as indicators, but were subsequently deleted
- 17 or deferred for further consideration in the future.
- 18 So before we begin those presentations, I'd just
- 19 like to highlight a couple of things. First, what we want
- 20 to do is provide an overview of the project and describe
- 21 the indicators for you and answer any questions that you
- 22 have about the project overall.
- 23 We did include more detailed information for you
- 24 about all of the indicators for Cal EPA, all the Boards
- 25 and departments as attachments to the agenda item. And

- 1 included in that are draft indicators for all of the issue
- 2 areas covering all the boards and departments in Cal EPA.
- 3 A couple of draft chapters, one draft chapter on
- 4 the solid waste stuff and then a couple of other chapters
- 5 that have been done. We've subsequently received more of
- 6 the draft chapters, so we'll be forwarding those to you.
- 7 And then also a copy of the presentation that
- 8 Carmen is going to make. Cal EPA and OEHHA are currently
- 9 in the final stages of obtaining comments on the Draft
- 10 indicators and Draft Chapters of the report. They'll be
- 11 going out shortly or maybe already did to the external
- 12 advisory group.
- 13 Secondly, as you know, we've been working for
- 14 sometime on our 2001 strategic plan. And there's
- 15 certainly a direct connection between our mission goals
- 16 and objectives, and the environmental indicators that
- 17 we've been working on with OEHHA. In the presentations,
- 18 you'll hear about different types and levels of
- 19 indicators, in addition to the broader indicators on
- 20 generation, diversion and disposal. The final draft
- 21 indicators for the solid waste area focus as well on
- 22 public health and safety aspects of the work that we do.
- 23 But in addition to these broader environmental
- 24 indicators for the State, we will be developing program
- 25 level performance measures in the future as apart of our

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- 1 strategic planning process that will assist us in
- 2 evaluating the effectiveness and the impact of our
- 3 programs at a more detailed level, so the EPIC indicators
- 4 are broader, and we'll be working on the more detailed
- 5 program level indicators in the future, as performance
- 6 measures for our programs.
- 7 So with that, I'd like to turn it over to Carmen.
- 8 CHAIRPERSON MOULTON-PATTERSON: Welcome, Carmen.
- 9 MS. MILANES: Thank you. Good morning. I'm
- 10 pleased to have this opportunity to share with you some
- 11 information about our efforts to develop an Environmental
- 12 Indicator System for Cal EPA. The project began about a
- 13 year ago. And, as you can see, from my presentation, it's
- 14 been a very collaborative effort, involving not only the
- 15 boards and departments in Cal EPA but other participants
- 16 as well.
- 17 (Thereupon an overhead presentation was
- 18 presented as follows.)
- 19 MS. MILANES: Let me begin with a definition of
- 20 what an environmental indicator is. Environmental
- 21 indicator is a measure presenting scientifically based
- 22 information on the status of or trends in the environment.
- 23 Indicators allow us to synthesize what sometimes could be
- 24 large, complex environmental information in a simple,
- 25 hopefully, easy to understand manner.

- 1 Indicators are selected because they have a
- 2 significance and can represent more than the actual
- 3 parameters or measures from which they were derived.
- 4 --000--
- 5 MS. MILANES: The strategic vision document,
- 6 which was released about a year ago, set forth a new
- 7 course for Cal EPA, one in which we're moving away from
- 8 our traditional measures of success based on outputs or
- 9 what we do to one where information about what's going on
- 10 in the environmental outcomes are going to be used in
- 11 planning and decision-making processes.
- 12 --000--
- 13 MS. MILANES: Environmental indicators will be
- 14 used to support a results based management system in which
- 15 information revealed about environmental conditions are
- 16 going to be considered in policy formulation, in resource
- 17 allocation and in establishing and adjusting priorities.
- In addition to this use, another major use
- 19 envisioned for our environmental indicators is to
- 20 communicate information about the state of the environment
- 21 to the public.
- --000--
- MS. MILANES: I just want to briefly go over the
- 24 various types of indicators that are used by organizations
- 25 to measure their performance. They range from the high

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- 1 level mission based indicators that track how well an
- 2 organization is accomplishing its mission; to policy
- 3 indicators that track success at achieving policy goals;
- 4 program performance indicators that track how well a
- 5 program is meeting its intended purpose; program activity
- 6 or efficiency indicators which describe the level of
- 7 activity or efficiency of an organization; and finally
- 8 administrative indicators which measure the internal
- 9 efficiency or functioning of an organization.
- 10 Given Cal EPA's mission being focused on the
- 11 restoration, protection, enhancement of environmental
- 12 quality, our mission based indicators are environmental
- 13 indicators, which is the focus of the project.
- 14 --000--
- 15 MS. MILANES: More specifically the environmental
- 16 indicators will be used in tracking how well we're meeting
- 17 the broad strategic goals that are outlined in the
- 18 strategic vision document.
- 19 --000--
- 20 MS. MILANES: Most environmental indicator
- 21 systems are founded on a pressure state response
- 22 conceptual model, which presumes that stresses placed on
- 23 the environment, as a result of human activity or natural
- 24 causes, cause changes in environmental conditions, and the
- 25 state of the environment, which often elicit responses,

- 1 governmental actions or actions by society directed at
- 2 controlling the pressure or perhaps changing the state
- 3 mitigating environmental damage, for instance.
- 4 --000--
- 5 MS. MILANES: The Chesapeake Bay Program, which
- 6 is a partnership consisting of US EPA Region 3 and various
- 7 governmental and nongovernmental organizations in the
- 8 Chesapeake Bay area, has taken the Pressure State Response
- 9 Model one level higher and created a hierarchy of
- 10 indicators, wherein actions by regulatory agencies are
- 11 presumed to result in responses by the regulated community
- 12 or a society which are presumed to cause changes in
- 13 discharges or emissions into the environment, which in
- 14 turn can cause changes in ambient environmental
- 15 conditions, changes in uptake and/or assimilation by
- 16 living organisms of hazardous chemicals or chemicals, and
- 17 finally changes in human health or ecological health.
- 18 And the slide just illustrates an example where
- 19 issuance of a discharged permit can be tracked and linked
- 20 to various indicator levels and finally to impacts upon a
- 21 blue crab population.
- The focus of the EPIC Project is on Levels 3
- 23 through 6, the environmental indicators.
- 24 --000--
- MS. MILANES: Again, going back to the strategic

- 1 vision document, OEHHA was directed by agency Secretary
- 2 Hickox to lead a collaborative effort to develop
- 3 environmental indicators for Cal EPA. The first year of
- 4 the project was spent developing a process, as well as
- 5 criteria, for identifying, selecting and developing
- 6 environmental indicators, and then applying that process
- 7 and coming up with an initial set of indicators.
- 8 All of this information will be embodied in a
- 9 report that Rubia alluded to, which is now undergoing
- 10 review and comment by our advisory groups.
- 11 --000--
- 12 MS. MILANES: Just to wrap up, the indicators
- 13 under EPIC are those that reflect environmental issues
- 14 affecting California as well as global or transboundary
- 15 issues that are of interest to California. These are
- 16 indicators that relate to the missions of Cal EPA and its
- 17 constituent boards and departments, as well as overlapping
- 18 areas of jurisdiction with the Resources Agency and the
- 19 Department of Health Services.
- 20 And finally, these are environmental indicators,
- 21 in that, they measure pressures on the environment,
- 22 ambient environmental conditions or human ecological
- 23 effects.
- --000--
- 25 MS. MILANES: This slide identified the various

- 1 collaborators in the EPIC Project. We have project staff
- 2 with representatives from all of the Cal EPA boards and
- 3 departments, as well as the Department of Health Services,
- 4 with the Resources Agency and US EPA Region 9.
- 5 We have two advisory groups, an external advisory
- 6 group, consisting of Cal EPA's external stakeholders, and
- 7 an interagency advisory group consisting of policy level
- 8 representatives from pretty much the same entities
- 9 represented on project staff, but with few additional
- 10 State agencies, and we're working very closely with some
- 11 consultants.
- 12 --000--
- 13 MS. MILANES: This slide illustrates the process
- 14 that we went through to identify our initial set or to
- 15 come up with our initial set of environmental indicators.
- 16 We started out by identifying the significant
- 17 environmental issues.
- 18 Issues identification involved getting input from
- 19 participants at a conference that was held in January with
- 20 input from project staff and input from our advisory
- 21 groups. And the various issues were organized under issue
- 22 categories in an issue structure. And the categories are
- 23 what's shown on the screen, air quality, water and so on.
- --o0o--
- 25 MS. MILANES: We looked at the various issues an

- 1 subissues in the issues structure and tried to identify
- 2 ways by which these can be quantitatively described or
- 3 measured. Applying criteria for selection, we developed
- 4 the environmental indicators that are our first set of
- 5 indicators.
- 6 --000--
- 7 MS. MILANES: The process of identifying possible
- 8 indicators essentially is equivalent to inventorying the
- 9 data available to us. And we've classified indicators
- 10 based on availability of data into three types. Type 1
- 11 indicators are indicators for which we have adequate data
- 12 supported by ongoing monitoring or data collection
- 13 efforts, where we're able to graphically present a status
- 14 or trend.
- Type 2 indicators are indicators for which there
- 16 could be full or partial data supported by ongoing
- 17 monitoring or data collection effort, but further effort
- 18 is needed in terms of further data collection, further
- 19 analysis or further management of the database to allow us
- 20 to graphically present the indicator.
- 21 And Type 3 indicators are really the data gaps.
- 22 These are concepts for indicators or hypothetical
- 23 indicators for which data collection would be necessary
- 24 for us to come up with an indicator.
- 25 ---00--

- 1 MS. MILANES: This slide lists the criteria which
- 2 I won't be going over, unless there are questions on it.
- 3 --000--
- 4 MS. MILANES: And finally, the next steps under
- 5 the project, we are in the process of getting review and
- 6 comment on our draft indicator document. And following
- 7 the adoption of the first set of indicators, some of the
- 8 ongoing activities to maintain the indicator system will
- 9 involve ongoing input from the public on indicators that
- 10 are part of the indicator system as well as suggestions
- 11 for additional indicators; ongoing project staff
- 12 evaluation, validation and updating of our indicators,
- 13 identification of new indicators would be part of that,
- 14 too; and then finally reconciling the EPIC efforts with
- 15 efforts going on as part of the strategic planning process
- 16 to ensure that the efforts -- or the strategic issues
- 17 identified in the plans are addressed by our EPIC
- 18 indicators and vice versa.
- 19 If the EPIC indicators indicate a need for new
- 20 initiatives, for example, we would like to work with the
- 21 strategic planning folks to make sure that that's
- 22 incorporated.
- I'll be happy to answer any questions you may
- 24 have.
- 25 CHAIRPERSON MOULTON-PATTERSON: Okay.

- 1 Questions?
- 2 Mike and then Arturo.
- 3 BOARD MEMBER PAPARIAN: The first report is going
- 4 to come out later this year or --
- 5 MS. MILANES: It's due to come out shortly,
- 6 September.
- 7 BOARD MEMBER PAPARIAN: Then are you anticipating
- 8 annual updates?
- 9 MS. MILANES: Yes.
- 10 BOARD MEMBER PAPARIAN: Will the updates be, you
- 11 know, similar in scope to the first one that's coming out
- 12 or will they be shorter updates?
- 13 MS. MILANES: It really depends upon the kind of
- 14 input we get after the report is issued. One difference
- 15 would be the fact that the first report outlines the
- 16 process. It sets a foundation for how we're going to go
- 17 about coming up with the indicators. That part may not be
- 18 there in its entirety in subsequent issues in the report,
- 19 but we do anticipate volume wise in terms of the
- 20 indicators that are discussed, it would be -- the scope
- 21 would be similar from report to report unless we just find
- 22 that some indicators are not worth keeping or a big bulk
- 23 of them are just not providing us with the meaningful
- 24 information that we need.
- 25 BOARD MEMBER PAPARIAN: Okay. And then most of

- 1 these are, I would characterize as sort of on the
- 2 pollution side of things. Some of what we do is economic
- 3 development, market development. Is that appropriate for
- 4 the type of indicators you're looking at?
- 5 MS. MILANES: Well, by definition, environmental
- 6 indicators are meant to reflect environmentally related
- 7 parameters, the pressures and state and effect type
- 8 indicators that I described.
- 9 The linkages come in where we discuss the meaning
- 10 of an environmental indicator. For instance, I think you
- 11 have a copy of the draft section that has the solid waste
- 12 indicators, we have a discussion of the various factors
- 13 that influence an environmental indicator, so that where,
- 14 you know, economic development or market type activities
- 15 are known to be factors affecting what we're seeing in the
- 16 environment, those would be discussed in terms of how they
- 17 influence the environmental indicators. But the EPIC
- 18 focus would be on what we can measure in the environment.
- 19 BOARD MEMBER PAPARIAN: Okay, thanks.
- 20 CHAIRPERSON MOULTON-PATTERSON: Okay. Arturo.
- 21 MR. ALEMAN: Going back to the advisory groups,
- 22 do you have an idea of what your advisory group
- 23 composition is going to look like?
- MS. MILANES: Composition?
- 25 MR. ALEMAN: Well, you have a series of nonprofit

- 1 groups and --
- 2 MS. MILANES: We actually have a list of the
- 3 members of our external advisory group. Was that
- 4 distributed, Rubia?
- 5 ASSISTANT DIRECTOR PACKARD: I have a list. I
- 6 just got it this morning. I can forward a copy to all of
- 7 you, if you -- do you want me to tell you who all is on
- 8 here?
- 9 MR. ALEMAN: It's not necessary at this time, but
- 10 one of the concerns that I was -- well, one of the things
- 11 that I'm concerned about is that we include environmental
- 12 justice groups.
- 13 MS. MILANES: We have the environmental health
- 14 coalition represented on our group, and they're one of the
- 15 major environmental justice groups in the State.
- MR. ALEMAN: Okay, thank you.
- 17 ASSISTANT DIRECTOR PACKARD: I will make sure
- 18 that you get a copy of the membership on that external
- 19 advisory group.
- MR. ALEMAN: Thank you.
- 21 ASSISTANT DIRECTOR PACKARD: If there are no
- 22 questions of Carmen at the moment, we'll proceed with
- 23 Diane's presentation on the indicators that are specific
- 24 to the solid waste area.
- 25 CHAIRPERSON MOULTON-PATTERSON: Thank you, Carmen

1	(Thereupon	an	overhead	presentation	Was
-	(IIICI C apoii	an	OVCIIICAA	prosciicacron	was

- presented as follows.)
- 3 MS. VLACH: Good morning, Madam Chair and members
- 4 of the Board. My name is Diane Vlach, and I work in the
- 5 Health and Safety Section of the Permitting and
- 6 Enforcement Division. I will be covering all of the draft
- 7 indicators for the Waste Management Board that have been
- 8 identified through the Cal EPA EPIC process. An internal
- 9 working group comprised of technical staff identified and
- 10 developed the solid waste environmental indicators.
- 11 --000--
- MS. VLACH: This slide highlights all the major
- 13 indicator categories considered and identified through the
- 14 EPIC Project. As you can see, all of the BDOs within Cal
- 15 EPA participated and contributed to the project. The
- 16 Resources Agency was also involved.
- 17 ---00--
- 18 MS. VLACH: I would like to discuss the
- 19 environmental indicators that are part of solid waste
- 20 management, land, waste and materials management. These
- 21 indicators fall under the land, waste, materials
- 22 management category. You have been provided with a draft
- 23 copy of this particular chapter.
- --o0o--
- MS. VLACH: The land, waste and materials

- 1 management includes hazardous waste as well as solid
- 2 waste. Attachment one of your packet includes the
- 3 write-up by the Department of Toxic Substances Control for
- 4 hazardous waste indicators. I will not cover them here,
- 5 but they have been provided for your review.
- 6 --000--
- 7 MS. VLACH: Carmen Milanes from OEHHA discussed
- 8 with you what an environmental indicator is, but again, I
- 9 would like to review the definition. Remember that they
- 10 are scientifically based, communicates the state of the
- 11 environment, and they are a tool to evaluate regulatory
- 12 performance and set priorities.
- 13 --000--
- 14 MS. VLACH: This slide represents the final five
- 15 issues or categories that the indicators fall under.
- 16 These issues are material use, waste generation, disposal
- 17 to land, site contamination and cross-media contamination.
- 18 --000--
- 19 MS. VLACH: Again, I'd like to highlight Carmen
- 20 Milanes from OEHHA discussed the indicator types.
- 21 However, again, Type 1 indicators are adequate data to
- 22 represent the indicator. Type 2 is the data is currently
- 23 being collected, but does not sufficiently represent an
- 24 indicator. And type 3 are indicators important, but
- 25 really there's more data that needs to be collected.

1 --000--

- 2 MS. VLACH: Through months of consideration and
- 3 analysis, the following indicators for solid waste have
- 4 been identified, and they are statewide solid waste
- 5 generation, disposal and diversion per capita; the number
- 6 of tires diverted from landfills; the cleanup of illegal,
- 7 solid waste disposal sites; tire cleanup; environmental
- 8 releases from active landfills.
- 9 ---00--
- 10 MS. VLACH: This is a Type 1 indicator. This
- 11 graph shows the estimated annual amount of waste generated
- 12 disposed and diverted by each California resident from
- 13 each year from 1989 through the year 2000.
- 14 Per capita disposal of solid waste has decreased,
- 15 even as generation has increased. This is due to a sharp
- 16 increase in diversion. Diversion involves recycling,
- 17 composting and reduction in waste generation. There was a
- 18 lot of good information and good data on this and the
- 19 graphic representation is included in your packet.
- --000--
- 21 MS. VLACH: This slide is a breakdown of solid
- 22 waste generated in California. As you know, a large
- 23 percentage isn't landfilled, such as yard waste for
- 24 composting. When we were developing the indicators one of
- 25 the areas that frequently came up was the Waste Board's

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- 1 emphasis on market development and diversion of waste.
- 2 Clearly, this really is an environmental
- 3 indicator. However, it's very proactive and addresses
- 4 waste upfront. The diversion data reflects the emphasis
- 5 of these programs. The ones that were taken off were
- 6 specifically measuring the progress of a program and not
- 7 really indicating what the impact was on the environment.
- 8 The specific programs will be measured as part of
- 9 the Boards strategic plan process. Some of these that I
- 10 want to include and highlight was under the diversion data
- 11 that was in the previous slide. A lot of the programs
- 12 that were in there were the markets development focus.
- 13 And it was -- we originally had identified several of
- 14 them, but when we met with the external groups and the
- 15 other advisory groups, many felt it would be better to
- 16 roll it as a waste diversion index as one, but we did
- 17 include it in the write-up. And once the draft is out,
- 18 everyone will be provided a copy, so that you can see that
- 19 we did cover it and it was important to us and we didn't
- 20 want it to get lost anywhere in this.
- 21 --000--
- 22 MS. VLACH: The is the number of tires diverted
- 23 from landfills. This also is a Type 1 indicator. And
- 24 what does this indicator show that over the past ten years
- 25 the quantity of tires that have been recycled or reused in

- 1 some manner has increased while those disposed of at
- 2 landfills has decreased. Why is this important?
- 3 Well, tires are difficult to handle. If large
- 4 quantities are stored, we have the potential for greater
- 5 environmental impacts. Fire and public health problems
- 6 are the two most significant issues associated with stock
- 7 piling of tires.
- 8 --000--
- 9 MS. VLACH: The is tire cleanup. This is a Type
- 10 2 indicator. And as you recall, Type 2 indicators were
- 11 there is some data, but there are still some gaps and
- 12 whether it's just information from year to year, it just
- 13 isn't all there, but it is important and we felt we wanted
- 14 to include it, that we felt that the tracking of tire
- 15 cleanup was an important environmental indicator because
- 16 of the environmental issues identified from the previous
- 17 slides, such as fires and vectors.
- 18 And one thing I'd like to highlight with this
- 19 particular slide, is if you notice how the State has been
- 20 very proactive in getting owners to cleanup nuisance and
- 21 illegal tire piles, such as in the year 1996 and 1999. A
- 22 lot of owners -- I mean, this is with strong proactive
- 23 enforcement action on the part of our Board's Tire
- 24 Enforcement Group.
- 25 ---00--

1 MS. VLACH: Cleanup of illegal solid waste

- 2 disposal site. This is also a Type 2 indicator. This is
- 3 the cleanup of illegal solid waste disposal sites. This
- 4 indicator will track the cleanup of illegal solid waste
- 5 disposal in California. It is needed to protect public
- 6 health and safety in the environment, and this one does
- 7 include burn dumps.
- 8 BOARD MEMBER PAPARIAN: Madam Chair, can I just
- 9 quickly clarify that? Burn dumps typically were not
- 10 illegal sites, but you are including them in this?
- 11 MS. VLACH: Right, but they're included as a site
- 12 cleanup under 2136.
- 13 BOARD MEMBER PAPARIAN: Good. Thank you.
- 14 --000--
- MS. VLACH: This is our only Type 3 indicator.
- 16 And as you recall, Type 3 indicators are it would be nice
- 17 to have the data somewhere down the road. This was
- 18 important that we didn't want it to get lost, but we just
- 19 don't have enough information right now to elevate it to
- 20 either a Type 2 or a Type 1.
- 21 Tracking environmental releases from active
- 22 landfills is an important indicator, because it tells us
- 23 if there is migration of contaminants into the land, air
- 24 or water. This indicator will track the trends and
- 25 environmental releases and provide us with a measure of

- 1 effectiveness of structural and operational safeguards.
- 2 --000--
- 3 MS. VLACH: Once again, to conclude my
- 4 presentation, here are the five environmental indicators
- 5 that are being proposed right now for the EPIC report.
- 6 Once again, there's statewide solid waste generation
- 7 disposal and diversion per capita; number of tires
- 8 diverted from landfills; the cleanup of illegal solid
- 9 waste disposal sites; tire cleanup and environmental
- 10 releases from active landfills.
- 11 If you have any questions, I'd be happy to answer
- 12 them.
- 13 CHAIRPERSON MOULTON-PATTERSON: Any questions?
- 14 CHIEF COUNSEL TOBIAS: Diane, on the cleanup of
- 15 illegal solid waste sites, is that a number, is that the
- 16 amount of money? What's the actual indicator?
- 17 MS. VLACH: The actual indicator is how many
- 18 sites we have cleaned up. Right now, to date, this is the
- 19 information that we have. And we understand that we
- 20 don't -- there's so many -- there are quite a few still
- 21 illegal sites around the State that we haven't cleaned up
- 22 all of them and even at times don't even know where all of
- 23 them are.
- 24 So this one is a Type 2, because we do have some
- 25 data on the ones we have cleaned up, but, you know, more

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- 1 information is needed and maybe more assistance. And
- 2 that's, I think, where the solid waste LEAs become
- 3 involved and play a role to also be our eyes in the
- 4 counties and cities.
- 5 CHIEF COUNSEL TOBIAS: Yeah, because I would
- 6 wonder whether it's actually the number of sites or if the
- 7 indicator should be something more like the number of
- 8 amount of tonnage that's removed or something else just in
- 9 the sense that we don't really know how many sites are out
- 10 there. So that's one you might just keep a watch on and
- 11 do a little bit more chatting with the closed, illegal and
- 12 abandon site group on that, because I'm not -- I think
- 13 that could really be skewed on a year where we cleanup one
- 14 site that's huge, and the next year we cleanup ten sites
- 15 that are little sites, and I'm not sure that's going to
- 16 tell us very much.
- Whereas, if it's on an amount of tonnage removed
- 18 from the site or the amount of money, maybe even spent or
- 19 something like that, it might give us a better overall
- 20 type of indicator.
- 21 CHAIRPERSON MOULTON-PATTERSON: Good suggestion.
- Thank you.
- MS. VLACH: Thank you.
- 24 CHAIRPERSON MOULTON-PATTERSON: Any other
- 25 comments or questions?

- 1 Mike.
- 2 BOARD MEMBER PAPARIAN: I realize it would be
- 3 difficult to add much to the current report that you're
- 4 finishing up, but some thoughts for future reports.
- 5 I think somehow getting at the markets issue
- 6 might be worth doing. The market stuff that we work on
- 7 diverts materials from landfills, and there are some
- 8 important trends in the areas that we're working on in
- 9 organics and other material types.
- 10 Another thought might be to look at what the
- 11 State agency impacts on the environment might be. We have
- 12 a role in that with the State agency buy recycled
- 13 campaign. We actually have data. There's some questions
- 14 as to how good the data is, but we have data from agencies
- 15 going back several years about how much recycled products
- 16 that they're purchasing.
- 17 The State agencies also have an impact in a lot
- 18 of these other areas. The State is the largest energy
- 19 user in the State. The State, as a State government, is
- 20 the largest sewage disposer in the State. It's the
- 21 largest landlord in the State. And in a number of other
- 22 areas it's pretty big and has by itself some impacts on
- 23 the environment that might be interesting to see whether
- 24 it would be worthwhile quantifying some of that.
- MS. VLACH: We were smiling because throughout

- 1 this year that we've been working on this project --
- 2 actually, at one point, we actually individually
- 3 identified just the programs you were stating right now.
- 4 ASSISTANT DIRECTOR PACKARD: We have a document
- 5 that has all of that.
- 6 MS. VLACH: All of the stuff you were
- 7 identifying. And when we were meeting with the different
- 8 advisory groups some had felt that it was a little
- 9 confusing to name all of the individual programs. They're
- 10 saying it's program specific, it's what you do, but does
- 11 it really indicate the state of the environment.
- 12 So right now we have been working with OEHHA
- 13 through the introduction portion of our land waste and
- 14 materials management not to lose any of that what you're
- 15 saying to actually cover on that and touch on that,
- 16 because we know it's really important. And a lot of the
- 17 groups actually did say what we do is of value and they
- 18 really were pleased with that.
- 19 So, yeah, we're taking a lot of that into
- 20 consideration just so it's not lost, so people can see
- 21 what we do. And then we're going to provide our Board web
- 22 site that they can go into and actually look into what we
- 23 have done to further expand on that.
- 24 ASSISTANT DIRECTOR PACKARD: What we can do also,
- 25 Mr. Paparian, is provide you with a copy of this to show

- 1 you and all of the Board members, of course, to show you
- 2 the program specific areas that were considered. And we
- 3 felt that the program indicators that we should be
- 4 addressing those through our performance measures as we
- 5 continue with our strategic plan, because they're program
- 6 and activity indicators as opposed to broad environmental
- 7 indicators for the State of California, that give us the
- 8 State of the environment.
- 9 But we can provide all of you with this previous
- 10 draft, so that you can see what those were, and maybe
- 11 through the process of revising and updating for the
- 12 subsequent year, we can talk about whether maybe we
- 13 didn't, you know, focus it correctly, maybe there's a way
- 14 to capture it to show it as an environmental indicator as
- 15 opposed to a program indicator.
- 16 BOARD MEMBER PAPARIAN: Okay, thanks.
- 17 Was any thought given to the item we talked about
- 18 early this morning, waste imports and exports?
- 19 ASSISTANT DIRECTOR PACKARD: Right, and we
- 20 couldn't make the connection. Those were originally
- 21 suggested and included and we couldn't make the
- 22 connection, again, between importing or exporting of waste
- 23 and an immediate state of the environment impact.
- 24 It's good information to have, but it wasn't felt
- 25 that it was an environmental indicator, so it wasn't there

- 1 originally as well.
- 2 BOARD MEMBER PAPARIAN: Thanks.
- 3 CHAIRPERSON MOULTON-PATTERSON: Mike, would that
- 4 include just like landfill closes in LA, and they have to
- 5 go 35 miles to another landfill to dump the garbage, the
- 6 air quality, is that what you mean?
- 7 BOARD MEMBER PAPARIAN: No, I was thinking about
- 8 out-of-state export of waste. It happens not only in our
- 9 jurisdiction, but a lot of toxic waste goes out of state
- 10 as well and then some gets imported.
- 11 We've, you know, heard about the problem with
- 12 tire imports and --
- 13 ASSISTANT DIRECTOR PACKARD: Right. And we did
- 14 consider those and include those in this draft that you'll
- 15 get -- previous draft of the things that were considered
- 16 but deleted. And, again, we couldn't make a connection,
- 17 although it was good information to have and we can track
- 18 it, and we hope to continue to provide updates to the
- 19 Board on what goes out of state, and, if we can, what
- 20 comes in.
- 21 We couldn't, we ourselves, couldn't make a --
- 22 couldn't draw a direct connection between how much waste
- 23 is going to Reno instead of to a Sacramento landfill and
- 24 the impact, the immediate impact, on the state of the
- 25 environment. It's more of a program indicator than it is

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- 1 an environmental indicator, so it was deleted. So maybe
- 2 that's something, you know, if the Board feels strongly
- 3 about continuing to include that, we can continue to
- 4 discuss that and maybe revise the report in the future to
- 5 include that.
- 6 CHAIRPERSON MOULTON-PATTERSON: Thank you.
- 7 Carmen.
- 8 MS. MILANES: If I may address the point about
- 9 hazardous wastes. There is tracking that the Department
- 10 of Toxic Substances Control does for waste shipments of
- 11 hazardous waste leaving California, as well as waste
- 12 coming into California. They did identify that as a Type
- 13 2 indicator, because they're not quite in a position to be
- 14 able to pull that data without additional time and effort
- 15 to sort through the information that they have.
- 16 CHAIRPERSON MOULTON-PATTERSON: Thank you very
- 17 much for a great report. We appreciate it.
- Okay. We're going on to the status update of
- 19 implementation of AB 75.
- I'm sorry, John.
- 21 MR. CUPPS: I guess, I had some questions about
- 22 the extent of stakeholder, external stakeholder input into
- 23 the waste specific environmental indicators. I believe
- 24 Ms. Vlach indicated that there was an internal stakeholder
- 25 group that worked on the development of the waste or solid

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- 1 waste specific indicators. Was there any effort to put
- 2 together an external stakeholders group including local
- 3 governments, environmental groups and the waste industry
- 4 that had an opportunity to review and comment on those,
- 5 number one.
- 6 And secondly, are there any further opportunities
- 7 for public input into this list of environmental
- 8 indicators prior to finalization of the report? And, if
- 9 so, if the answer to that is yes, what specifically are
- 10 those opportunities?
- 11 ASSISTANT DIRECTOR PACKARD: Well, I can answer
- 12 part of that and then Carmen can answer part of it. The
- 13 internal working group that you're referring to is a
- 14 technical advisory group that actually did the physical
- 15 work of taking what came from the conference -- I can't
- 16 remember, did we call it a conference -- the EPIC
- 17 conference, which was the opportunity for anyone who was
- 18 interested in having input into what issues we should
- 19 address and what indicators may be, should be, et cetera
- 20 that occurred earlier this year. So that was open to
- 21 everyone.
- 22 And the internal technical group, which consists
- 23 of representatives from all the boards and departments as
- 24 well as OEHHA and Cal EPA took that material and began to
- 25 synthesize it and categorize it into the issue areas that

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- 1 you saw listed up there, of which we ended up in the Land
- 2 and Materials Management area, which includes hazards and
- 3 solid waste.
- 4 So there was that opportunity, originally, to
- 5 have input into the process. It was synthesized by the
- 6 folks in the Boards and the departments and with OEHHA's
- 7 and Cal EPA's help. And this is what has come out of that
- 8 process. There have been a couple of meetings with the
- 9 external advisory group, which is this list of folks that
- 10 I have here. And those folks were -- it was an advisory
- 11 group where specific folks were picked to represent
- 12 specific areas.
- 13 And I think Carmen can talk a little bit more
- 14 about what that process was and what in the future -- you
- 15 know, where we are now or what's going to occur in the
- 16 future as far as external comment and review.
- MR. CUPPS: Ms. Packard, were there -- in terms
- 18 of this external advisory group, were there any members of
- 19 either the private waste industry or, what I would call,
- 20 the public waste industry, namely, you know, operators of
- 21 public facilities that had an opportunity to input on that
- 22 list?
- MS. MILANES: Not specifically, no.
- 24 MR. CUPPS: Okay. So what you're saying then is
- 25 that the first opportunity was sort of at the front end of

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- 1 the process, but so far there really has not been any
- 2 opportunity for either private waste industry, local
- 3 governments or environmental groups to provide input and
- 4 comment on -- so, Rubia, am I correct in understanding
- 5 then there was an opportunity at the conference for some
- 6 initial input from stakeholders across the Board, but
- 7 subsequent to that, is you began to -- there was this
- 8 internal working group that hashed through the details of
- 9 the waste and land management indicators, and you've come
- 10 up with these proposed indicators, but as far as, if I
- 11 understand what you're saying correctly is that there's
- 12 been no real opportunity for either public or private
- 13 waste industry, local governments or environmental groups
- 14 to provide feedback and comment on what has been proposed
- 15 at this point?
- ASSISTANT DIRECTOR PACKARD: Not to my knowledge.
- 17 No, there has been no mailing or other publicly open
- 18 meeting where anybody that wanted to come and comment was
- 19 invited, no. Is that correct, Carmen?
- 20 MS. MILANES: Well, let me just point out a
- 21 couple of things. On our external advisory group, we do
- 22 have representatives from the environmental groups and
- $23\,$ local government as well as the local jurisdictions. We
- 24 have Justin from the CCDEH, as one of our more active
- 25 members.

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- 1 Also, in addition to that, we have maintained
- 2 some of our draft documents, for example, the draft issues
- 3 structure, and even the draft candidate table of
- 4 indicators on our EPIC web site. We have not specifically
- 5 gone out and solicited comment, but it's there. We have
- 6 an electronic mailing list that we established about a
- 7 couple of months ago so that interested parties can
- 8 receive notification whenever there is new postings on the
- 9 EPIC web site.
- 10 We do intend to post the final document once it's
- 11 out. But one thing to keep in mind is that the first set
- 12 of indicators is envisioned as just that, an initial set
- 13 of indicators. It's the fruit of our first year's
- 14 efforts, but we do want public input and comment on that
- 15 first set, so that a subsequent revision would capture the
- 16 perspectives of all interested parties.
- 17 We were limited by time constraints,
- 18 unfortunately. And our intent to get public input was the
- 19 confines of the web postings and then also the stakeholder
- 20 group except that because of the wide range of interests
- 21 covered by Cal EPA, we necessarily had to limit the types
- 22 of representatives that we had on the public external
- 23 advisory group.
- 24 CHAIRPERSON MOULTON-PATTERSON: Thank you,
- 25 Carmen.

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1 MR. CUPPS: Well, let me just be sure that I
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- 2 understand correctly what Carmen has just stated. In
- 3 other words, this document will go out as a final report,
- 4 which people are going to have an opportunity to provide
- 5 feedback on, but really there is not going to be any
- 6 formal opportunity for public review and comment prior to
- 7 publication as a final document?
- 8 MS. MILANES: Not prior to publication.
- 9 MR. CUPPS: Thank you.
- 10 CHAIRPERSON MOULTON-PATTERSON: Thank you.
- 11 We'll move on now, and thank for your report on
- 12 the status update of the implementation of AB 75.
- 13 Pat.
- 14 DEPUTY DIRECTOR SCHIAVO: Okay, a little bit like
- 15 a salmon there.
- 16 (Laughter.)
- 17 DEPUTY DIRECTOR SCHIAVO: This is a -- it's
- 18 titled Update on Implementation of AB 75, but more
- 19 specifically this is focusing on the emergence of the new
- 20 web based database that's going to show the performance of
- 21 all of the nearly 500 State agencies that are implementing
- 22 AB 75, so you'll be able to just go up on the web site and
- 23 be able to view it at your convenience.
- 24 And so this will be presented by Trevor
- 25 O'Shaughnessy. We have tremendous support by the

- 1 Information Management Branch. They really helped
- 2 expedite this process, so we're really thankful for their
- 3 efforts on this. And we'll try to make this pretty quick.
- 4 (Thereupon an overhead presentation was
- 5 presented as follows.)
- 6 MR. O'SHAUGHNESSY: Good morning, Madam Chair and
- 7 members of the Board. The Integrated Waste Management
- 8 Board has developed a web site that has placed all of the
- 9 information submitted to the Integrated Waste Management
- 10 plans by each agency into its complete database and all
- 11 the information is available.
- 12 Going through, you can search by an organization
- 13 name using a key word. The more specific you are, the
- 14 more you key in to a specific agency for a quicker search.
- 15 You can also search by zip code or by city. When you do a
- 16 search by city, it must be noted, and it is noted down
- 17 below on the web page, that a city refers to an address
- 18 not a specific jurisdiction.
- 19 It was the limitation we had in gathering the
- 20 information from the reporting agencies, but it is a
- 21 useful tool to go into. But if you went in and entered
- 22 waste -- let's just look at it ourselves, because we can,
- 23 you would come up with the search criterion that are
- 24 identified in the search results, and you would have all
- 25 of the facilities that are listed that have that

- 1 associated to it.
- 2 So you have the field shop, the Fullerton Office,
- 3 the Waste Management Board headquarters, et cetera. By
- 4 clicking on any one of those, you then go into the
- 5 specific plan as it was submitted.
- 6 Once you're in this portion of the web page, you
- 7 first come up with the information on the agency itself,
- 8 the Director, the facility headquarters address, the
- 9 recycling coordinator for the entire agency, the phone
- 10 numbers to contact that coordinator, their Email address.
- 11 If you pan down a bit, you also have a listing of the
- 12 facilities associated not only to the agency, but also to
- 13 the Integrated Waste Management Plan.
- So in our case here, we have the waste
- 15 prevention, market development division, their
- 16 headquarters, the P&E, the field shop, the LA office, and
- 17 the Fullerton office. Again, this information is as
- 18 submitted in the Integrated Waste Management Plan, and
- 19 those entities are divisions that are named there are as
- 20 was listed within the plan.
- 21 So the Diversion, Planning and Local Assistance
- 22 division is not a listed organization, because at the time
- 23 that the plan was originally submitted, P&E and part of
- 24 markets were over in the other building location of 8950.
- 25 So you're listing out all the specific organizations.

- 1 As time goes on and organizations update their
- 2 information through inter-report process, this information
- 3 will also be updated.
- 4 If you continue on, you can also find out
- 5 specific diversion information that was submitted by the
- 6 organization. In the case of the Waste Management Board,
- 7 they did 2000 projected tons, that are diverted, disposed,
- 8 total generation, as well as their percentage of
- 9 diversion. And within the Waste Management Plan, they did
- 10 propose tons out through 2002.
- 11 Most, if not all, agencies projected out to 2006.
- 12 And the Waste Management Board staff is working on doing
- 13 the projections for 2003 through 2006 to be complete --
- 14 and submit complete information.
- 15 If you continue down, you get specific program
- 16 details, which include business source reduction,
- 17 materials management, as well as the weights that are
- 18 associated with that. You have existing programs. And if
- 19 there were any proposed programs or significant expansion
- 20 of programs, you would have a marking where I'm indicating
- 21 with the pointer of proposed programs as well.
- The categories that are listed here of program
- 23 types only include those programs that are selected by a
- 24 specific organization.
- 25 There are a total of, I believe, 32 total

- 1 reporting categories that are available for State
- 2 agencies, but to make it cleaner for the user of it, it's
- 3 simplified down. Additional information that was supplied
- 4 through the planning process was promotion; what is it
- 5 that you're planning to do, now currently existing as well
- 6 as into the future to inform your employees and your
- 7 customers that you serve that you're implementing a plan
- 8 of waste diversion.
- 9 And that's where the promotional program comes
- 10 in. And finally, procurement is the SABRAC area, and
- 11 checking off whether or not you have existing activity or
- 12 proposed activity for the future to meet the SABRAC
- 13 requirements.
- 14 The final area of the submitted information is
- 15 the narrative portion. And within this area, there was a
- 16 series of questions that were asked in the model plan and
- 17 all of which were addressed by the submitting agencies.
- 18 The text that has been put into this specific
- 19 area or the responses, as I'm indicating by the pointer,
- 20 is the text that was submitted by the reporting agencies.
- 21 In doing our review, staff did find grammatical errors,
- 22 maybe sentence structure, et cetera. And in all instances
- 23 the agencies were asked do you have this error, do you
- 24 want it changed?
- In some instances it was stated, no, do not

- 1 change it. What was submitted was signed by our Executive
- 2 Director and that is what we need to stick by, because
- 3 that's the rules of our organization.
- 4 So there are some instances that you have
- 5 spelling errors and minor errors. We do know those exist
- 6 and we're working with those agencies to get that
- 7 information updated and correct within not only our
- 8 database, but also to represent the agency in an
- 9 appropriate fashion.
- 10 That would conclude my very brief presentation of
- 11 the Board's web site that's been developed to present this
- 12 information.
- 13 Are there any questions?
- 14 CHAIRPERSON MOULTON-PATTERSON: Questions?
- Mike.
- 16 BOARD MEMBER PAPARIAN: Just in the beginning, is
- 17 this live now or is it about to be?
- 18 MR. O'SHAUGHNESSY: It's about to be live. I
- 19 apologize. I did not state that. This web site should be
- 20 up within two weeks or less. We're doing some final
- 21 testing internally to make sure that all the bugs are out.
- 22 We've had a couple of quirks, but it should be up in two
- 23 weeks or less.
- 24 BOARD MEMBER PAPARIAN: Thank you.
- 25 CHAIRPERSON MOULTON-PATTERSON: Thank you very

- 1 much, Trevor. We appreciate it.
- 2 John, did you have a question or comment?
- 3 MR. CUPPS: Yeah, I did have some questions. And
- 4 I apologize, I was briefly out of the Boardroom.
- 5 Does the database include information in terms of
- 6 the status and review and approval of the plans?
- 7 MR. O'SHAUGHNESSY: All the organizations that
- 8 have information up, the information that's posted has
- 9 been approved by the Board either through the Executive
- 10 Director's authority or by the Board Members themselves.
- 11 If it comes up with a message that no information
- 12 is available, then it just hasn't been formally approved
- 13 by the Board, but there is no specific indicator that says
- 14 whether it's been approved by the Board or not.
- MR. CUPPS: Are there any plans to put
- 16 information and make it available on the web site in terms
- 17 of plans that have been submitted and are undergoing
- 18 review.
- 19 MR. O'SHAUGHNESSY: Staff is finalizing their
- 20 review, and by the time this is live on line, all plans
- 21 will have been approved by the Board or are in a state
- 22 that staff isn't able to make a final determination and
- 23 will be coming forward to the Board in September to get
- 24 direction as to how to treat those entities.
- MR. CUPPS: Thank you.

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- 1 MR. O'SHAUGHNESSY: You're welcome.
- 2 CHAIRPERSON MOULTON-PATTERSON: Thanks, John.
- 3 Thank you, very much.
- 4 We'll go on to our last status report on Civil
- 5 Engineering Uses for Waste Tires.
- 6 Good morning.
- 7 MS. PATENAUDE: Good morning, Madam Chair and
- 8 Members of the Board. My name is Stacey Patenaude. I
- 9 work in the Special Waste Division here at the Waste Board
- 10 and I'm the contract manager for engineering and
- 11 environmental services contract.
- 12 (Thereupon an overhead presentation was
- 13 presented as follows.)
- 14 MS. PATENAUDE: This contract was originally
- 15 awarded to Dr. Dana Humphries in May of 1998. At that
- 16 time, we sat down and developed a list of objectives that
- 17 we wanted to accomplish with this type of contract.
- Those objectives were to promote the use of tire
- 19 shreds in civil engineering applications, develop new uses
- 20 for tire shreds and civil engineering applications, to
- 21 provide technical assistance to Waste Board staff dealing
- 22 with regulation development proposals, in which civil
- 23 engineering applications were proposed. One additional --
- 24 and the last item was engineering design, assistance and
- 25 construction oversight.

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- 2 MS. PATENAUDE: The majority of our time, or I
- 3 should say 50 percent of our time has been devoted to
- 4 promoting and educating individuals and engineers
- 5 regarding the use of tire shreds and civil engineering
- 6 applications. We have had numerous meetings with CalTrans
- 7 and private individuals, and also seven, six-hour short
- 8 courses in which Dr. Humphries has educated, basically,
- 9 hundreds of engineers here in California.
- 10 Four of those short courses have been given to
- 11 CalTrans engineers, one to private industry, and one to
- 12 the San Joaquin Public Works Department.
- 13 The remainder of our time has been spent in
- 14 research and development of new uses for tire shreds, and
- 15 civil engineering applications. The test studies that
- 16 have been developed and completed were the seismic
- 17 dampening study, the toxicity of aquatic life effects,
- 18 tire landfill, final cover foundation layer test path,
- 19 landfill leachate drainage layer and operational layer
- 20 test path, a tire cleaning study and the vibration
- 21 attenuation test panth.
- --000--
- MS. PATENAUDE: The first study, which was done
- 24 through the University of Davis on a subcontract through
- 25 Dr. Humphries was to determine the dynamic characteristics

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- 1 of tire shreds as lightweight fill behind a bridge
- 2 abutment. The ultimate goal of this research is to
- 3 determine that tire shreds can be used to help lessen the
- 4 effects of earthquakes on overpasses and bridges.
- 5 The first phase of this study has been completed,
- 6 and the information has been evaluated. And meetings
- 7 later on this month should determine the course of action,
- 8 whether another study will be implemented or proposed.
- 9 The next study was a toxicity study, which was
- 10 done in a phased approach to address regional water
- 11 quality control board concerns dealing with tire shreds
- 12 placed in the environment.
- 13 The study was done through subcontract with Dana
- 14 Humphries. And the first phase was completed, which
- 15 indicated that tire shreds placed above the groundwater
- 16 have no toxicity effects on aquatic life. The second
- 17 phase of this study, which would deal with tire shreds
- 18 placed below the groundwater is scheduled to be done
- 19 shortly.
- 20 This is important since the Water Board has set
- 21 restrictions on the use of tire shreds. I think their
- 22 waste discharge requirements call for shreds that must be
- 23 five feet above the groundwater. Many of our projects in
- 24 the Bay Area, it may be necessary to have tire shreds much
- 25 closer to the groundwater to be effective.

- 1 --000--
- 2 MS. PATENAUDE: The first test pad that was
- 3 constructed, was a test pad dealing with the drainage
- 4 layer and operation layer at a landfill. The tires
- 5 were -- what we wanted to see is the effect of tire shreds
- 6 placed directly on a synthetic layer. Tire shreds were
- 7 spread out on a synthetic HTPE liner, compacted and then
- 8 ultimately removed.
- 9 ---00--
- 10 MS. PATENAUDE: As you can see here, we found
- 11 that even with a very thick 60 or 80 HTPE liner, that the
- 12 wire in tires will puncture a synthetic liner. Based on
- 13 this, the information was put into a report, and
- 14 recommendations and restrictions on the use of tire shreds
- 15 at landfills has been put together.
- 16 --000--
- 17 MS. PATENAUDE: The next test pad was a tire
- 18 shred foundation layer. This one was to determine the
- 19 effect of a final cover in a landfill if tire shreds were
- 20 incorporated into the foundation layer. This was also
- 21 based on a request to do this at a landfill.
- 22 So to see that an actual compaction could be
- 23 attained in the clay of the final layer at Chicago grade
- 24 landfill, we constructed this test pad, and the
- 25 information from this was put into another guidance plan

- 1 that is also available to whoever needs it.
- 2 --000--
- 3 MS. PATENAUDE: The study that was conducted down
- 4 at the Westley Tire Site had to do with tire cleaning. It
- 5 was expressed to us that it would be nice if the waste
- 6 tires at the Westley tire site that remained after the
- 7 fire could be used in the 880 and Dixon Landing civil
- 8 engineering project. The only problem was is the tires
- 9 during the cleanup of the fire got very dirty and did not
- 10 meet our specifications for the amount of organic and
- 11 pretty small material.
- 12 So we rented a trammel and ran tire shreds
- 13 through it to see if we could clean them. It had never
- 14 really been done. We did find out that you could clean
- 15 them. This material could be shreded to meet our
- 16 specifications. But unfortunately the tires were not used
- 17 at 880 because the two projects, the cleanup at Westley
- 18 and the implementation of Dixon Landing didn't -- time did
- 19 not coincide, so the tires were not used there.
- 20 Although, the information is very valuable and
- 21 may be used in future remediations.
- --000--
- MS. PATENAUDE: The last test path, was a
- 24 vibration attenuation test path. This idea came to us
- 25 during a brainstorming session at the beginning of this

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- 1 contract. The study was to see how effective tire shreds
- 2 would be in absorbing vibration generated from the rail
- 3 car on a lightrail line.
- 4 It is important because vibration mitigation is
- 5 now federally required under certain circumstances in
- 6 lightrail construction. The test path, which consisted of
- 7 two 80-foot long sections was constructed at the Chicago
- 8 Grid Landfill, and a foot of tire shreds was placed, soil
- 9 was compacted over it, the vibration -- an acoustical
- 10 engineering company was hired by Dr. Humphries under
- 11 subcontract to monitor the vibration generated and then
- 12 transmit it from this path and how the tire shreds absorb
- 13 this vibration.
- 14 Here, we have a water truck driving down the pad
- 15 and the geophones have been placed in the ground and will
- 16 measure that amount of dampening that the tire shreds
- 17 actually have.
- 18 The project was a huge success. Information that
- 19 was gathered from this is already paying for uses for the
- 20 waste tires.
- 21 --000--
- MS. PATENAUDE: We understand that studying and
- 23 promoting is fun and important, but the ultimate goal of
- 24 this contract is to actually implement the use of this
- 25 opportunity. The following projects are an example of how

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- 1 we have been successful in accomplishing this goal.
- 2 --000--
- 3 MS. PATENAUDE: Well, we missed the last one.
- 4 The Santa Clara Valley Transit Authority, also known as
- 5 VTA, obtained information about this report from the
- 6 acoustical engineering company, Wilson, Eric during a
- 7 seminar they gave in Denver.
- 8 They became very interested in this idea, and
- 9 through discussions with us decided that they would like
- 10 to construct a test track in their railyard in San Jose.
- 11 This test track was constructed in January of this year.
- 12 The Waste Board supplied 40 tons of two-inch lines of tire
- 13 ships. VTA supplied the work and all the other additional
- 14 materials. In one weekend they built an 80-foot section
- 15 of test track.
- The test track the next week was actually tested
- 17 by Dr. Humphries and the acoustical engineer. The purpose
- 18 of this test was to determine if by placing the one-foot
- 19 of compressible tire chips below the rail bed, would there
- 20 be any affect on the integrity of the actual track?
- 21 You can see the sensors on the track there, and
- 22 then the geophones where the red tag is, those are the
- 23 geophones that have been driven into the subdrain that
- 24 will measure the vibration that is actually transmitted
- 25 from the railcar out away from the track.

- 1 VTA was very happy with the results of this and
- 2 consequently they have committed to using tire chips in
- 3 2,000 feet of their next rail line expansion, the Pasano
- 4 line down in San Jose.
- 5 This project went out to bid, I believe, in June.
- 6 They are requesting 800 tons of material and I think the
- 7 significant thing to understand is that they are going to
- 8 pay for this. They are not asking for subsidies to buy
- 9 this material.
- 10 This is such a savings to them over the
- 11 conventional vibration mitigation, that they feel lucky to
- 12 have this opportunity to use this type of material and
- 13 this technology that the Waste Board developed.
- --o0o--
- 15 MS. PATENAUDE: The next project was completed --
- 16 the tire placement was completed last month. This is the
- 17 Dixon Landing 880 interchange project. We've worked on
- 18 this for about two years to get to the point of
- 19 construction. This was the southbound on ramp at Dixon
- 20 Landing. They on-ramp was approximately 700 feet long.
- 21 The quantity of material that was placed was 6,420 tons,
- 22 which is approximately 642,000 tires equivalent.
- 23 They started delivering tires July 2nd and we
- 24 completed our last delivery July 31st.
- 25 ---00--

- 1 MS. PATENAUDE: The construction went quite
- 2 smoothly as far as tire shreds placement was concerned.
- 3 The contractor had no problem placing it, and he found it
- 4 worked just like dirt. I think everybody was very happy
- 5 with the construction.
- 6 The final grading will probably be completed the
- 7 end of this week, and then the actual pad will sit for
- 8 approximately a year before it's actually paved. Analysis
- 9 of the other material that placed out here, there was a
- 10 lightweight aggregate that they had to bring in from Reno
- 11 versus our material, shows that even at the increased cost
- 12 of placement that the contractor, since he never placed
- 13 this type of material, the bid came in showing that they
- 14 wanted more than typical construction costs to place this.
- 15 We still beat the alternative lightweight solution by \$10
- 16 a cubic meter.
- 17 And that price would come down significantly the
- 18 bigger the project and the more we have accomplished.
- 19 --00o--
- 20 MS. PATENAUDE: Last, I'd like to go over the
- 21 budget. The initial contract, which was the C765, which
- 22 was awarded to Dana Humphries in 1998 was for \$350,000.
- 23 You can see that we spent the money. I'd like to point
- 24 out the vibration attenuation test path. For a week's
- 25 worth of construction with the acoustical engineer, Dr.

- 1 Humphries and myself, it cost us approximately \$30,000.
- 2 The end result, I believe, shows that this was a
- 3 really good bang for your buck, and we're hoping to see
- 4 many more projects in the near future.
- 5 The current budget for the C9029 contract is
- 6 \$103,826. This is what we have spent so far and how it
- 7 has been spent. Once, again, the VTA test track and the
- 8 actual testing cost about \$12,000.
- 9 ---00--
- 10 MS. PATENAUDE: This is the proposed use for the
- 11 augmentation that we are requesting for the C9029
- 12 contract; the second phase of the toxicity test, the
- 13 monitoring at the Dixon Landing interchange, future
- 14 assistance to CalTrans for any of the project that we come
- 15 forward with, oversight of the seismic study, if we choose
- 16 to implement the second phase of that study, once again,
- 17 education and promotion, and technical assistance to the
- 18 Waste Board.
- 19 That concludes my presentation. If you have any
- 20 questions, I'll be happy to answer them.
- 21 CHAIRPERSON MOULTON-PATTERSON: Thank you very
- 22 much.
- 23 Any questions from board members, or staff?
- 24 Any questions from the public?
- 25 Seeing none, we thank you very much. That was

1 very informative. And thank you all. And this ends our 2 briefing and presentation. (Thereupon the California Integrated Waste Management Board Briefing Workshop was concluded at 12:00 p.m.)

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1	CERTIFICATE OF REPORTER
2	I, JAMES F. PETERS, a Certified Shorthand
3	Reporter of the State of California, and Registered
4	Professional Reporter, do hereby certify:
5	That I am a disinterested person herein; that the
6	foregoing California Integrated Waste Management Board
7	Agenda Briefing Workshop was reported in shorthand by me,
8	James F. Peters, a Certified Shorthand Reporter of the
9	State of California, and thereafter transcribed into
10	typewriting.
11	I further certify that I am not of counsel or
12	attorney for any of the parties to said workshop nor in
13	any way interested in the outcome of said workshop.
14	IN WITNESS WHEREOF, I have hereunto set my hand
15	this 20th day of August, 2001.
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